

Page 1

1 EUGENE WESTMORELAND

2 VS.

3 THOMAS DART, ET AL.

4 WITNESS: EUGENE WESTMORELAND

5 TAKEN ON: DECEMBER 12, 2023

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<p>1 UNITED STATES DISTRICT COURT 2 NORTHERN DISTRICT OF ILLINOIS 3 EASTERN DIVISION 4 5 EUGENE WESTMORELAND, 6 Individually and for 7 a class, 8 PLAINTIFF, 9 VS. CASE NO.: 1:22-cv-01442 10 THOMAS DART, SHERIFF OF 11 COOK COUNTY, AND COOK 12 COUNTY, ILLINOIS, 13 DEFENDANTS. 14 15 IT IS STIPULATED AND AGREED by and between 16 counsel for Plaintiff and counsel for Defendants that 17 the deposition of EUGENE WESTMORELAND may be taken 18 pursuant to the Federal Rules of Civil Procedure, by 19 and on behalf of the Defendants, on the 12th day of 20 December, 2023, at the Taylorville Correctional 21 Center, 1144 Illinois Route 29, in the City of 22 Taylorville, State of Illinois, before Sally Barach, 23 Certified Shorthand Reporter; that the issuance of 24 notice is waived, and that this deposition may be</p>	<p>Page 2</p> <p>1 APPEARANCES OF COUNSEL: 2 3 FOR THE PLAINTIFF: 4 Patrick Morrissey, Esq. 5 Thomas G. Morrissey, Ltd. 6 10257 S. Western Avenue 7 Chicago, IL 60643 8 (773)233-7900 9 pwm@morrisseylawchicago.com 10 11 FOR THE DEFENDANTS: 12 Troy Radunsky, Esq. 13 Devore Radunsky, LLC 14 230 W. Monroe 15 Suite 230 16 Chicago, IL 60606 17 (312)300-4479 18 tradunsky@devoreradunsky.com 19 20 21 22 23 24</p>
<p>1 taken with the same force and effect as if all Federal 2 Rules had been complied with. 3 IT IS FURTHER STIPULATED AND AGREED that any 4 and all objections to all or any part of this 5 deposition are hereby reserved and may be raised on 6 the trial of this cause, and that the signature of the 7 deponent is waived. 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p>Page 3</p> <p>1 INDEX 2 3 PAGE 4 Examination by Mr. Radunsky 8 5 6 EXHIBITS 7 8 Defendants' Exhibit No. 1 32 9 Defendants' Exhibit No. 2 33 10 Defendants' Exhibit No. 3 34 11 Defendants' Exhibit No. 4 77 12 13 Exhibit No. 1 - Photograph of East ramp 14 Exhibit No. 2 - Photograph of North tunnel 15 Exhibit No. 3 - Photographs of metal ramp 16 Exhibit No. 4 - Grievance created by Eugene 17 Westmoreland - 2-18-23 18 19 (Exhibits retained by the court reporter for 20 distribution) 21 22 23 24</p>

<p>1 CERTIFIED QUESTIONS 2 PAGE LINE 3 21 7 4 Q: What happened? 5 21 11 6 7 Q: (By Mr. Radunsky) What happened in the sexual 8 assault cases that led you to plead guilty? 9 21 24 10 11 Q: (By Mr. Radunsky) So can you tell me, you know, 12 what the issues were that led to you pleading guilty? 13 22 7 14 15 Q: (By Mr. Radunsky) I have an article that I found 16 in the Sun Times, or that I found on-line from CWB 17 Chicago, and it says that you were sentenced to 10 18 years after pleading guilty of sexually assaulting two 19 underage girls, including one of your students, and 20 you pled guilty to criminal sexual abuse of a victim 21 under 13, predatory criminal sexual assault, 22 aggravated criminal sexual abuse of an individual 23 under 18. Is any of that not true? 24</p>	<p style="text-align: right;">Page 6</p> <p>1 EUGENE WESTMORELAND, 2 of lawful age, having been first duly sworn to testify 3 the truth, the whole truth, and nothing but the truth 4 in the case aforesaid, deposes and says in reply to 5 oral interrogatories propounded as follows, to wit: 6 7 EXAMINATION (start time: 8:46 a.m.) 8 QUESTIONS BY MR. RADUNSKY: 9 Q: Can you state and spell your name for the 10 record? 11 A: Eugene Westmoreland. That's E-U-G-E-N-E 12 W-E-S-T-M-O-R-E-L-A-N-D. 13 Q: Okay. And Mr. Westmoreland, how many times 14 have you given a deposition before? 15 A: This is my second time. 16 Q: All right. And the first time was in the 17 other lawsuit that you had with Johnson & Bell? 18 A: Yes. 19 Q: All right, and that case has settled? 20 A: Yes. 21 Q: Okay. As I understand, it settled about two 22 months ago? 23 A: Yes. 24 Q: Okay, that, the issues in that case involved</p>
<p>1 22 19 2 3 Q: (By Mr. Radunsky) Are you listening to your 4 lawyer's objection? 5 22 22 6 Q: Are you refusing to answer these questions? 7 23 1 8 Q: (By Mr. Radunsky) I'm asking you, are you 9 asserting your Fifth Amendment right? 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 7</p> <p>1 you just, I believe, falling off a bed; is that 2 correct? 3 A: That's correct. 4 Q: All right. It had nothing to do with the 5 ramps that we're going to be talking about, or the 6 tunnels, or any of those issues; is that correct? 7 THE WITNESS: Can I -- 8 Q: (By Mr. Radunsky) You can't ask him any 9 questions during the deposition. 10 A: That's correct, but I did use the ramps. 11 Q: No, I'm just saying it had nothing to do 12 with the accident. 13 A: No, no. 14 Q: Okay. Do you have any other aliases? Do 15 you go by any other aliases -- 16 A: No. 17 Q: -- any other names besides Eugene 18 Westmoreland? 19 A: No. 20 Q: Okay, and what's your date of birth? 21 A: February 19th, 1961. 22 Q: 1961? 23 A: That's correct. 24 Q: All right. What's your marital status?</p>

Page 10	Page 12
<p>1 A: Divorced.</p> <p>2 Q: And are the last four digits of your social</p> <p>3 security number 2472?</p> <p>4 A: No.</p> <p>5 Q: Oh, whoops. Oh, I'm sorry, that was --</p> <p>6 okay, what are they? What are the last --</p> <p>7 A: 3900, 3900.</p> <p>8 Q: Yeah, I'm sorry. I don't know -- I know</p> <p>9 where that number came from, it came from another</p> <p>10 deposition, because I was cutting and pasting things.</p> <p>11 Other than the documents that I see in front of you,</p> <p>12 which appear to be your grievances and maybe some</p> <p>13 discovery, have you reviewed any other records?</p> <p>14 A: No.</p> <p>15 Q: All right, can I see the documents that</p> <p>16 you're looking at?</p> <p>17 A: Yes.</p> <p>18 Q: So you just handed me some documents, and</p> <p>19 they're your grievances, and your answers to</p> <p>20 interrogatories, a copy of your lawsuit, your</p> <p>21 complaint, oh, and a copy of the answers to request to</p> <p>22 admit. Is that everything that you've looked at?</p> <p>23 A: Yes.</p> <p>24 Q: Have you created any documents yourself?</p>	<p>1 Q: You do have knowledge of them?</p> <p>2 A: Yeah.</p> <p>3 Q: Okay, what do you know as far as the ADA</p> <p>4 standards with respect to ramps?</p> <p>5 A: Okay, I don't know a whole lot of them right</p> <p>6 offhand, because I need to look at them because I'm</p> <p>7 not an expert at, you know, ADA. I need to have them</p> <p>8 in front of me to like review --</p> <p>9 Q: Okay.</p> <p>10 A: -- what's what, so I can, you know, to be</p> <p>11 fair.</p> <p>12 Q: Sure. Have you reviewed -- strike that.</p> <p>13 Have you retained an expert in this case to look at</p> <p>14 the ADA standards with respect to the ramps and the</p> <p>15 tunnels in this case?</p> <p>16 MR. MORRISSEY: I object to the extent that</p> <p>17 may call for communication that's privileged, but you</p> <p>18 can answer.</p> <p>19 A: No.</p> <p>20 Q: (By Mr. Radunsky) Okay. Have you -- were</p> <p>21 you given any literature at the jail regarding ADA</p> <p>22 standards related to the ramps or the tunnels that</p> <p>23 we're going to be talking about here today?</p> <p>24 A: No.</p>
Page 11	Page 13
<p>1 A: No.</p> <p>2 Q: Okay. Have you ever reviewed any of the ADA</p> <p>3 standards that may be involved in your case?</p> <p>4 A: You mean --</p> <p>5 Q: The Americans with Disabilities standards or</p> <p>6 policies?</p> <p>7 A: I have a -- I did look at something someone</p> <p>8 showed me, but I didn't get a chance to see the whole</p> <p>9 outline of it. But I did --</p> <p>10 Q: Okay.</p> <p>11 A: -- look at some stuff.</p> <p>12 Q: Do you know what any of the standards, ADA</p> <p>13 standards, or policies, or guidelines would be</p> <p>14 applicable in your case?</p> <p>15 MR. MORRISSEY: Object to the form, to the</p> <p>16 extent it's stuff we've talked about.</p> <p>17 Q: (By Mr. Radunsky) Yeah, I don't want to</p> <p>18 know about any conversations with your lawyers. I</p> <p>19 just want to know independently do you have any</p> <p>20 knowledge of the ADA standards, or policies, or</p> <p>21 procedures that we're going to be talking about, or</p> <p>22 could be applicable with the ramps or the tunnels</p> <p>23 here?</p> <p>24 A: Pretty much, yeah.</p>	<p>1 Q: Okay. I'm assuming that you are familiar or</p> <p>2 have knowledge of other inmates who are in wheelchairs</p> <p>3 like yourself, that were at the Cook County Jail when</p> <p>4 you were, that were also using these ramps and tunnels</p> <p>5 in the RTU?</p> <p>6 A: Yes.</p> <p>7 Q: Okay, other than look at those records and</p> <p>8 meet with your lawyer, have you done anything else to</p> <p>9 help prepare for your deposition today?</p> <p>10 A: No.</p> <p>11 Q: All right. And how long did you meet with</p> <p>12 your lawyer today?</p> <p>13 A: Maybe about half an hour.</p> <p>14 Q: Okay. Other than meeting with your</p> <p>15 attorneys, have you spoken to any other witnesses in</p> <p>16 this case?</p> <p>17 A: No.</p> <p>18 Q: Okay. Are you aware that your attorney has</p> <p>19 supplied us with declarations of other inmates at the</p> <p>20 Cook County Jail?</p> <p>21 A: Yes.</p> <p>22 Q: Okay, have you read those declarations from</p> <p>23 those other inmates?</p> <p>24 A: Would that be -- can I ask you a question?</p>

<p style="text-align: right;">Page 14</p> <p>1 Q: Sure. 2 A: That would be what they said, or -- 3 Q: Uh-huh, their statements. Have you read 4 their statements? 5 A: That would be in here? 6 Q: No, I'm talking about an actual legal 7 document that's, that would be a declaration from a 8 witness, similar to an affidavit, that would say what, 9 would offer statements from them. Have you seen 10 something like that? 11 A: Yeah, something like that. 12 Q: Okay, so you know what I'm talking about 13 when I say declarations? 14 A: Uh-huh. 15 Q: Is that a yes? 16 A: Yes. 17 Q: All right. Whose declarations have you 18 seen? 19 A: I believe I've seen -- there's so much 20 paperwork. 21 Q: Let me ask you this way, I'll make it easy 22 for you, have you seen a declaration or any statements 23 from Darian Thompson? 24 A: No.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q: All right, so I'll give you the next name. 2 Deangelo McClain (phonetic), have you ever seen any 3 statements or declarations from him? 4 A: No, that name don't sound familiar. 5 Q: What about Michael Hughes? Have you seen 6 any declarations or statements from him? 7 A: No. 8 Q: What about a gentleman named Ricky Harris, 9 have you seen any declarations or statements from him? 10 A: No, I know Ricky Harris. 11 Q: Okay. Have you seen any declarations or 12 statements from somebody named Efferson (phonetic) 13 Williams? 14 A: No. 15 Q: Okay. Now, can you tell me, what's your 16 highest level of education? 17 A: I have two Bachelor of Science degrees. 18 Q: Where did you get those? 19 A: One from Tennessee State University, and the 20 other one from North Carolina State University. 21 Q: Do you remember what years you got those? 22 It's okay if you don't. 23 A: North Carolina, I got that degree in 2000 -- 24 I want to say approximately 2014 or '15, something</p>
<p style="text-align: right;">Page 15</p> <p>1 Q: Have you seen any declarations or statements 2 from a -- if I get this name wrong I apologize -- 3 Tirrell, T-I-R-N-E-L-L, Williams? 4 A: That name sounds familiar. 5 Q: Have you seen any declarations or statements 6 from him? I'm not asking if the name sounds familiar. 7 A: I'm trying to think -- 8 Q: That's okay. 9 A: -- that's why I'm pausing. 10 Q: You can think. You're allowed to. 11 A: I saw his name, but I don't know about what 12 the outcome of -- I recall -- 13 Q: Other than his name, have you seen any 14 statements from him or declarations? Anything that he 15 signed with a statement? 16 A: I don't recall seeing any. 17 Q: Okay. And I'm not trying to trick you. If 18 you haven't, that's okay. 19 A: I mean, the name sounds familiar. 20 Q: That's okay. Listen, I bet you a lot of 21 these guys' names are going to sound familiar. I just 22 want to know if you've seen their statements or 23 declarations from them, okay? 24 A: Okay.</p>	<p style="text-align: right;">Page 17</p> <p>1 around in there, and Tennessee State, '85. 2 Q: What did you study at Tennessee State? 3 A: Instrumental music. 4 Q: Instrumental music? 5 A: Uh-huh. 6 Q: Is that a yes? 7 A: Yes. 8 Q: I mean, I should have told you this before, 9 all of your answers have to be out loud. You can't go 10 uh-huh, or huh-uh, because we don't know -- 11 A: Yeah. 12 Q: That's okay, you're doing fine. Did you 13 also study music at North Carolina State? 14 A: I studied theology. 15 Q: Theology. 16 A: Got a degree in theology. 17 Q: Any other education? Any other higher 18 education? 19 A: No. 20 Q: And I know you filed one other lawsuit. 21 Other than that lawsuit that you settled, have you 22 ever filed any other lawsuits? 23 A: I had workman comp. I don't know if that 24 qualifies as a lawsuit.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q: That's okay. When was that?</p> <p>2 A: 2018 roughly, around 2018, or 2017 or '18, 3 somewhere around up in there.</p> <p>4 Q: You know what, let's talk about that. Can 5 you tell me your employment history in the last like 6 25 years?</p> <p>7 A: My last job was Christ The King Jesuit 8 College Prep. I was there for about eight years.</p> <p>9 Prior to that -- oh, I also was a professional 10 musician at New Life Covenant Church maybe around 11 three years. Prior to that -- well, those jobs were 12 concurrent. I had those at the same time.</p> <p>13 Q: The King job --</p> <p>14 A: Yeah, and --</p> <p>15 Q: -- and the professional musician?</p> <p>16 A: Yes.</p> <p>17 Q: Okay.</p> <p>18 MR. MORRISSEY: Wait to respond until he 19 finishes talking.</p> <p>20 THE WITNESS: Okay.</p> <p>21 Q: (By Mr. Radunsky) What did you do before 22 King?</p> <p>23 A: I was a teacher that's like, almost like a 24 sub, a substitute teacher.</p>	<p style="text-align: right;">Page 20</p> <p>1 A: Yes.</p> <p>2 Q: And what about Uplift? When were you there?</p> <p>3 A: 2000s, somewhere in the 2000s.</p> <p>4 Q: In the 2000s?</p> <p>5 A: Yes.</p> <p>6 Q: And then after that you were subbing --</p> <p>7 A: Yeah.</p> <p>8 Q: -- for a couple years all around the state?</p> <p>9 A: Yeah, yeah. Yes rather.</p> <p>10 Q: And then you went to King?</p> <p>11 A: That's correct.</p> <p>12 Q: At all of these different schools were you 13 teaching music?</p> <p>14 A: Yes.</p> <p>15 Q: Okay, all right. And King was the last 16 place that you were at?</p> <p>17 A: Yes.</p> <p>18 Q: And what was your position -- your position 19 was music teacher?</p> <p>20 A: Yes.</p> <p>21 Q: All right. Now, let me ask you, other than 22 the grievances that we've, we'll be talking about 23 later, have you given any other written statements 24 regarding any of the issues in your complaint?</p>
<p style="text-align: right;">Page 19</p> <p>1 Q: Where were you a sub at?</p> <p>2 A: All around the State of Illinois.</p> <p>3 Q: Okay, and how many years were you a 4 substitute for?</p> <p>5 A: I don't know, about two, three years.</p> <p>6 Q: And what did you do before you were a 7 substitute?</p> <p>8 A: I taught -- I had so many schools, so you'll 9 have to give me a chance to think.</p> <p>10 Q: Go ahead.</p> <p>11 A: I taught at a school called Uplift Community 12 High School for about maybe six years.</p> <p>13 Q: Do you remember where you were before 14 Uplift?</p> <p>15 A: I taught at Marshall High School for about 16 four years.</p> <p>17 Q: All right, well, let's start with Marshall, 18 do you remember what years that was?</p> <p>19 A: I can't --</p> <p>20 Q: You don't need to be exact. Do you 21 remember, was it in the 90s, or, you know, early 22 2000s? You know, as close as you can remember.</p> <p>23 A: I would say in the 90s approximately.</p> <p>24 Q: In the 1990s?</p>	<p style="text-align: right;">Page 21</p> <p>1 A: No.</p> <p>2 Q: Okay. So why are we at the prison? What 3 happened? What were you convicted of that led us to 4 this --</p> <p>5 A: Basically I had, I pleaded to three sex 6 crimes, sexual assault crimes.</p> <p>7 Q: What happened?</p> <p>8 A: I mean --</p> <p>9 MR. MORRISSEY: Object to the form of the 10 question.</p> <p>11 Q: (By Mr. Radunsky) What happened in the 12 sexual assault cases that led you to plead guilty?</p> <p>13 MR. MORRISSEY: There's also a pending 14 appeal, Counsel.</p> <p>15 MR. RADUNSKY: I understand.</p> <p>16 MR. MORRISSEY: So I would advise him that I 17 believe he's under protection on the way to an appeal.</p> <p>18 A: Yeah, I did appeal.</p> <p>19 MR. RADUNSKY: I don't think that that 20 applies in the civil suit necessarily. And I 21 understand that you filed an appeal. But right now 22 we're sitting here at Taylorville, and I think it's 23 relevant.</p> <p>24 Q: (By Mr. Radunsky) So can you tell me, you</p>

<p style="text-align: right;">Page 22</p> <p>1 know, what the issues were that led to you pleading 2 guilty?</p> <p>3 MR. MORRISSEY: I'm going to object to the 4 form, and also instruct him not to answer based on his 5 Fifth Amendment privilege, because he has a pending 6 appeal.</p> <p>7 Q: (By Mr. Radunsky) I have an article that I 8 found in the Sun Times, or that I found on-line from 9 CWB Chicago, and it says that you were sentenced to 10 10 years after pleading guilty of sexually assaulting two 11 underage girls, including one of your students, and 12 you pled guilty to criminal sexual abuse of a victim 13 under 13, predatory criminal sexual assault, 14 aggravated criminal sexual abuse of an individual 15 under 18. Is any of that not true?</p> <p>16 MR. MORRISSEY: I'm going to object and tell 17 him not to answer, per his Fifth Amendment privilege, 18 because of his pending appeal.</p> <p>19 Q: (By Mr. Radunsky) Are you listening to your 20 lawyer's objection?</p> <p>21 A: Yes, I am.</p> <p>22 Q: Are you refusing to answer these questions?</p> <p>23 MR. MORRISSEY: I'm instructing him not to 24 answer based on his Fifth Amendment privilege.</p>	<p style="text-align: right;">Page 24</p> <p>1 A: 2019.</p> <p>2 Q: Okay. And when, do you remember your last 3 day there? What day was that?</p> <p>4 A: September 26th, I believe, 2023.</p> <p>5 Q: I looked at your housing records, you know, 6 and it looked like you were in the RTU the entire time 7 in Division 8?</p> <p>8 A: Yes.</p> <p>9 Q: Okay. And the RTU is the residential 10 treatment unit, right?</p> <p>11 A: That's correct.</p> <p>12 Q: That's where patients with physical or 13 mental illnesses are housed generally?</p> <p>14 A: Yes.</p> <p>15 Q: Okay. When -- well, strike that. Can you 16 tell me a little bit about your medical history? Why 17 are you in a wheelchair?</p> <p>18 A: Well, basically you said it before, I fell. 19 I injured myself. I also have a history of polio in 20 my left leg. You know, it causes my leg to become 21 extremely weak.</p> <p>22 Q: Uh-huh.</p> <p>23 A: And also the fall, I had spinal cord 24 surgery, which damaged nerves in my body. And</p>
<p style="text-align: right;">Page 23</p> <p>1 Q: (By Mr. Radunsky) I'm asking you, are you 2 asserting your Fifth Amendment right?</p> <p>3 A: Yes.</p> <p>4 MR. RADUNSKY: All right. Well, we'll 5 certify all of these questions, and we will reserve 6 our right to bring him back and have these questions 7 answered.</p> <p>8 Q: (By Mr. Radunsky) Other than the sexual 9 assault crimes that you pled guilty to, have you pled 10 guilty or been found guilty of any other felonies or 11 misdemeanors involving fraud or dishonesty in the last 12 10 years?</p> <p>13 A: No.</p> <p>14 Q: If your appeal isn't overturned, how long 15 was your sentence?</p> <p>16 A: Seven.</p> <p>17 Q: Seven years?</p> <p>18 A: Seven years.</p> <p>19 Q: Okay. Do you remember the first day that 20 you arrived at the Cook County Jail, what day that 21 was?</p> <p>22 A: I think it was October. I believe it was 23 October 30th. I believe October 30th. I'm not sure.</p> <p>24 Q: Do you know what year?</p>	<p style="text-align: right;">Page 25</p> <p>1 basically that sums it all up, nerve damage, polio 2 equals wheelchair.</p> <p>3 Q: When were you first given a wheelchair for 4 your injuries?</p> <p>5 A: After the surgery.</p> <p>6 Q: After the fall from --</p> <p>7 A: Yes.</p> <p>8 Q: -- the bed and the spinal surgery?</p> <p>9 A: Yes.</p> <p>10 Q: All right. Do you remember what year that 11 was?</p> <p>12 A: 2019.</p> <p>13 Q: That's when the spinal surgery was?</p> <p>14 A: Yes.</p> <p>15 Q: Okay. Do you remember who did the surgery?</p> <p>16 A: I don't remember. I don't recall the 17 doctor's name --</p> <p>18 Q: Okay.</p> <p>19 A: -- right now.</p> <p>20 Q: And you said you had polio?</p> <p>21 A: Yes.</p> <p>22 Q: That's a lifelong condition?</p> <p>23 A: That's correct.</p> <p>24 Q: All right. Were you in a wheelchair for the</p>

<p style="text-align: right;">Page 26</p> <p>1 polio?</p> <p>2 A: No, but I am required a cane and brace for</p> <p>3 polio.</p> <p>4 Q: And did you use that your entire life?</p> <p>5 A: Basically, yes. I want to say yes to</p> <p>6 that --</p> <p>7 Q: Okay.</p> <p>8 A: -- because as a child I did have a brace. I</p> <p>9 used a brace.</p> <p>10 Q: You had to use a brace?</p> <p>11 A: Yes.</p> <p>12 Q: And when you say a brace, what are you</p> <p>13 talking about specifically?</p> <p>14 A: A leg, a leg brace.</p> <p>15 Q: Got you, okay.</p> <p>16 A: Full-length leg brace.</p> <p>17 Q: I'm trying to think about this, almost like,</p> <p>18 have you ever seen the movie Forest Gump?</p> <p>19 A: Uh-huh.</p> <p>20 Q: You know that leg -- is that a yes?</p> <p>21 A: Yes.</p> <p>22 Q: You know that leg brace that he used in some</p> <p>23 of the movie?</p> <p>24 A: Yes.</p>	<p style="text-align: right;">Page 28</p> <p>1 MR. RADUNSKY: Yeah, this facility.</p> <p>2 MR. MORRISSEY: I think that misstates his</p> <p>3 testimony.</p> <p>4 MR. RADUNSKY: Oh, I'm sorry. Let me re-ask</p> <p>5 it.</p> <p>6 Q: (By Mr. Radunsky) Have you seen nurse</p> <p>7 practitioners at Taylorville since -- I'm sorry,</p> <p>8 strike that. Have you seen nurse practitioners at</p> <p>9 Taylorville since September?</p> <p>10 A: Yes.</p> <p>11 Q: Okay. Have you seen doctors at Taylorville</p> <p>12 since September?</p> <p>13 A: No.</p> <p>14 Q: Okay. And I'm just trying to figure out if</p> <p>15 you are getting treatment still continuously for your</p> <p>16 spinal issues and the polio, and you are, it sounds</p> <p>17 like?</p> <p>18 A: Yes, I'm in line to.</p> <p>19 Q: Okay.</p> <p>20 A: He sees so many patients here.</p> <p>21 Q: When you say he, are you talking about the</p> <p>22 doctor?</p> <p>23 A: The doctor, yes.</p> <p>24 Q: Do you know what his name is?</p>
<p style="text-align: right;">Page 27</p> <p>1 Q: Is that sort of what you had, that similar</p> <p>2 type of a leg brace?</p> <p>3 A: Yes.</p> <p>4 Q: Okay. Now, have you been using a wheelchair</p> <p>5 ever since that surgery, Eugene?</p> <p>6 A: Yes.</p> <p>7 Q: Okay. Are you regularly seeing a doctor</p> <p>8 today for your spinal issues and the polio?</p> <p>9 A: I mean, I see the doctor here. Wherever I</p> <p>10 go basically I will see the doctor for these</p> <p>11 conditions.</p> <p>12 Q: Have you seen the doctors since you've been</p> <p>13 at the penitentiary?</p> <p>14 A: At the last penitentiary, at the NRC, I seen</p> <p>15 a doctor there --</p> <p>16 Q: Okay.</p> <p>17 A: -- and here I've seen nurse practitioners.</p> <p>18 Q: You have?</p> <p>19 A: Yes.</p> <p>20 Q: Okay, how often are you seeing nurse</p> <p>21 practitioners since you've been here, since, I think</p> <p>22 you said the end of September?</p> <p>23 MR. MORRISSEY: I'll object, are you talking</p> <p>24 about this facility?</p>	<p style="text-align: right;">Page 29</p> <p>1 A: No.</p> <p>2 Q: Okay. I'm assuming there's more than one</p> <p>3 doctor?</p> <p>4 A: I can assume. I'm not sure.</p> <p>5 Q: You don't know?</p> <p>6 A: Like I have no idea.</p> <p>7 Q: Okay. Just generally, when you were at the</p> <p>8 Cook County Jail, all right, not going anywhere, or</p> <p>9 being transported, or escorted around, how would you</p> <p>10 get around in your wheelchair? Would somebody push</p> <p>11 you, or would you push yourself? Can you tell me?</p> <p>12 A: Can you ask that question again?</p> <p>13 Q: Yeah, yeah.</p> <p>14 A: I mean, you said if I'm inside the chair, or</p> <p>15 what are you saying?</p> <p>16 Q: Like when you're in the dayroom.</p> <p>17 A: Okay.</p> <p>18 Q: You've been in the dayroom, I assume, in the</p> <p>19 RTU?</p> <p>20 A: Uh-huh, yes.</p> <p>21 Q: And when you're not being escorted like you</p> <p>22 were on the morning you were going to vote, or you're</p> <p>23 not being taken somewhere, but you're just kind of</p> <p>24 moving around, all right, how do you do that? Do you</p>

Page 30	Page 32
<p>1 do it yourself --</p> <p>2 A: Yes.</p> <p>3 Q: -- manually? All right. Are there times</p> <p>4 where, and again, not when you're being transported or</p> <p>5 escorted somewhere, where you have other inmates push</p> <p>6 you, or officers, or are you just manually doing it</p> <p>7 yourself?</p> <p>8 A: If I'm in the tier I'm usually doing it</p> <p>9 myself.</p> <p>10 Q: Okay, that's fine. Do you know, when you're</p> <p>11 being escorted somewhere, whether like -- and we'll</p> <p>12 talk about this later, like whether it's to vote, or</p> <p>13 you're going to court, all right, is there some sort</p> <p>14 of jail policy that someone should be pushing your</p> <p>15 wheelchair for you? In other words, it should be</p> <p>16 another officer, or it can be a detainee, or you can</p> <p>17 do it yourself? Are you aware of any policy on this?</p> <p>18 A: I'm not aware of any policy.</p> <p>19 Q: Okay. Do you know, in your lawsuit, in your</p> <p>20 complaint, which I know that you've looked at, all</p> <p>21 right, I want to talk first about what we've already</p> <p>22 sort of been chatting about, what I'm going to call</p> <p>23 the RTU ramp and tunnel, okay? Do you know what I'm</p> <p>24 talking about?</p>	<p>1 the tunnel going to Cermak. This has railings. This</p> <p>2 is --</p> <p>3 MR. RADUNSKY: Listen, don't testify,</p> <p>4 please.</p> <p>5 MR. MORRISSEY: No, you said this is the</p> <p>6 north --</p> <p>7 MR. RADUNSKY: Then which one is this? This</p> <p>8 is the east ramp, and this is the north tunnel. These</p> <p>9 are the two things that --</p> <p>10 MR. MORRISSEY: No, no, this is the Cermak</p> <p>11 ramp.</p> <p>12 MR. RADUNSKY: No, it's not. Off the</p> <p>13 record.</p> <p>14</p> <p>15 (Discussion off the record)</p> <p>16</p> <p>17 (Defendants' Exhibit No. 1</p> <p>18 marked for identification)</p> <p>19</p> <p>20 MR. RADUNSKY: So we're back on the record.</p> <p>21 Q: (By Mr. Radunsky) I'm showing you what</p> <p>22 we've marked as Exhibit Number 1, just for the record.</p> <p>23 This is a picture of the east ramp; is that correct?</p> <p>24 And that's below the RTU?</p>
Page 31	Page 33
<p>1 A: Yes.</p> <p>2 Q: All right. And I'm going to refer to,</p> <p>3 there's two of them, all right? I'm going to refer to</p> <p>4 the north tunnel and the east ramp. If I refer to</p> <p>5 those, do you know what I'll be talking about?</p> <p>6 A: No.</p> <p>7 Q: You don't know? Do you know -- let me put</p> <p>8 it to you this way, one of them is longer, all right,</p> <p>9 that I'm referring to is the north tunnel. And then</p> <p>10 -- and I'll show you pictures of it, all right?</p> <p>11 This -- here, let me show you a picture of it. We'll</p> <p>12 mark -- well, we'll mark it later. But Exhibit</p> <p>13 Number, I think we're on 1, all right, this came out</p> <p>14 of a document that I got from your lawyer, okay? I'm</p> <p>15 calling this the north tunnel. Are you familiar with</p> <p>16 this area?</p> <p>17 A: Yes.</p> <p>18 Q: Okay, all right. Now, this I'm referring</p> <p>19 to --</p> <p>20 MR. MORRISSEY: Hold on, Counsel, I think</p> <p>21 this, this isn't the north --</p> <p>22 MR. RADUNSKY: Yeah, it is. That's the</p> <p>23 picture that I got from --</p> <p>24 MR. MORRISSEY: Hold up, Counsel, this is</p>	<p>1 A: Are those railings?</p> <p>2 Q: Yes.</p> <p>3 A: Yes.</p> <p>4 Q: Okay.</p> <p>5 MR. MORRISSEY: And just for clarification,</p> <p>6 Mr. Westmoreland also has a picture of this in front</p> <p>7 of him.</p> <p>8 MR. RADUNSKY: Oh, he does? Okay, that's</p> <p>9 great.</p> <p>10 MR. MORRISSEY: So just for the record, the</p> <p>11 one he looked at before the dep, which is a screen</p> <p>12 shot --</p> <p>13 THE WITNESS: Uh-huh.</p> <p>14 MR. RADUNSKY: The same area?</p> <p>15 MR. MORRISSEY: -- it's the same.</p> <p>16 MR. RADUNSKY: That's fine, I saw it.</p> <p>17 MR. MORRISSEY: I think there's two copies</p> <p>18 of it.</p> <p>19 MR. RADUNSKY: That's fine. Don't worry, I</p> <p>20 know.</p> <p>21</p> <p>22 (Defendants' Exhibit No. 2</p> <p>23 marked for identification)</p> <p>24</p>

<p style="text-align: right;">Page 34</p> <p>1 Q: (By Mr. Radunsky) The second picture that 2 I'm going to mark as Exhibit 2, I'm going to call it 3 the north tunnel. You can call it a corridor. You 4 can call it a ramp. Are you familiar with this area 5 below the RTU?</p> <p>6 A: Yes.</p> <p>7 Q: All right. And these -- let me ask you, are 8 these the two ramps, corridors, or tunnels that you 9 were referring to in your complaint?</p> <p>10 A: Yes.</p> <p>11 Q: All right. And now we know that there's 12 another ramp that's in Division 4, all right, that 13 we'll mark as Group Exhibit 3, and it's two pictures 14 of a metal ramp?</p> <p>15 A: Yes.</p> <p>16</p> <p>17 (Defendants' Group Exhibit No. 3 18 marked for identification)</p> <p>19</p> <p>20 Q: (By Mr. Radunsky) All right, that I also 21 got from your attorney. Are you familiar with this 22 ramp?</p> <p>23 A: Yes.</p> <p>24 Q: All right, is this the ramp you were injured</p>	<p style="text-align: right;">Page 36</p> <p>1 Q: 15 to 20 times?</p> <p>2 A: Yeah.</p> <p>3 Q: Okay.</p> <p>4 A: Yes.</p> <p>5 Q: Okay, that's okay. And what about voting?</p> <p>6 How many times would you go to vote in Division 4, 7 when you were incarcerated at the Cook County Jail?</p> <p>8 A: Once.</p> <p>9 Q: Okay. And had you ever complained to 10 anybody at the jail about those ramps before the 11 incident in Division 4, which, I think, was in 12 February of 2023?</p> <p>13 A: I mean, I complained to the officer. I 14 complained to the nurse. In fact, there were two 15 officers that I complained to. One was, I believe, 16 Officer Wylie (phonetic).</p> <p>17 Q: Officer, can you say that again?</p> <p>18 A: Wylie.</p> <p>19 Q: Wylie?</p> <p>20 A: Wylie, yes.</p> <p>21 Q: Do you have any idea how to spell that? And 22 don't guess if you don't know.</p> <p>23 A: I have no idea.</p> <p>24 Q: Yeah, don't guess. Okay, do you know who</p>
<p style="text-align: right;">Page 35</p> <p>1 on after voting?</p> <p>2 A: Yes.</p> <p>3 Q: Okay, we'll come back to these. All right, 4 in terms of frequency, can you tell me, I mean, how 5 often were you using the ramps that we're looking at, 6 or the tunnels, or the corridors in Exhibits 1 and 2?</p> <p>7 And you can tell me like, you know, infrequently, 8 frequently, a lot. I mean, whatever you're 9 comfortable with. I'm just trying to get an idea how 10 often you were using them, okay?</p> <p>11 A: I mean, this was jail, so basically when I 12 would go to court, to vote, so I would say often.</p> <p>13 Q: What's that?</p> <p>14 A: Often.</p> <p>15 Q: Often?</p> <p>16 A: Uh-huh.</p> <p>17 Q: Okay, let me ask you this, how many times, 18 when you were at the Cook County Jail, did you go to 19 court approximately? You can give me a range. You 20 can say 5 to 10, 10 to 15, or I don't know.</p> <p>21 A: I was there for approximately, almost four 22 years --</p> <p>23 Q: Okay.</p> <p>24 A: -- so I would say approximately 15, 20.</p>	<p style="text-align: right;">Page 37</p> <p>1 the other officer was?</p> <p>2 A: The officer that was escorting me.</p> <p>3 Q: Marin.</p> <p>4 A: Marin, yes.</p> <p>5 Q: And what about the nurse, do you remember 6 the nurse's name?</p> <p>7 A: She went -- her name -- she didn't like give 8 her name, so she told us to call her Nurse G.</p> <p>9 Q: Nurse G?</p> <p>10 A: Yes.</p> <p>11 Q: And had she ever treated you in the RTU?</p> <p>12 A: Yes.</p> <p>13 Q: Okay. And you just can't recall her last 14 name?</p> <p>15 A: Nurse G.</p> <p>16 Q: Do you remember what she looked like? Can 17 you physically describe her?</p> <p>18 A: She was roughly around 5'7", maybe weighed 19 about maybe 120, a little lady, African-American --</p> <p>20 Q: Uh-huh, uh-huh.</p> <p>21 A: -- short hair.</p> <p>22 Q: Do you know what ethnicity?</p> <p>23 A: She had an accent.</p> <p>24 Q: She did? Okay, that helps.</p>

<p>1 A: I don't know what --</p> <p>2 Q: Okay.</p> <p>3 A: -- race, or I mean what ethnicity she was.</p> <p>4 Q: That's okay. And when you talked to the</p> <p>5 nurse and the two officers about the issues that you</p> <p>6 were having with these two ramps, corridors, or</p> <p>7 tunnels in your complaint, what did you tell them?</p> <p>8 A: Okay, which ramps are you referring to?</p> <p>9 Q: The two in Exhibits 1 and 2.</p> <p>10 A: These two?</p> <p>11 Q: Yes, yes, in Exhibits 1 and 2.</p> <p>12 A: Not this?</p> <p>13 Q: What did you talk to these three people</p> <p>14 about?</p> <p>15 A: Basically I had a difficult time going up</p> <p>16 and down these ramps, especially when I'm not</p> <p>17 assisted. Pain, I had a lot of pain in my body</p> <p>18 traversing these ramps.</p> <p>19 Q: Like where?</p> <p>20 A: Right up in here, the shoulder.</p> <p>21 Q: Left shoulder?</p> <p>22 A: Shoulder area, neck, and my hands burned</p> <p>23 sometimes when I was going down.</p> <p>24 Q: How would you, how would you get up and down</p>	<p>Page 38</p> <p>1 railing. If the chair, it gets -- and that probably</p> <p>2 happened once, but I didn't have to grab the railing,</p> <p>3 I just had to, I just froze and stopped the chair.</p> <p>4 Q: What about going up the ramps, or the</p> <p>5 tunnels, or the corridors that we're talking about in</p> <p>6 Exhibits 1 or 2, would you use the railings?</p> <p>7 A: No.</p> <p>8 Q: You would never use the railings?</p> <p>9 A: No, going up I would always -- there's no --</p> <p>10 I can't grab the railing while I'm doing this.</p> <p>11 Q: Okay. And going down you're not using the</p> <p>12 railings either?</p> <p>13 A: Only in an emergency. Like if this chair</p> <p>14 gets out of hand I would grab the railing.</p> <p>15 Q: What do you mean getting out of hand? Like</p> <p>16 it's going too fast?</p> <p>17 A: Going too fast.</p> <p>18 Q: Okay, or you feel like it's wobbling and you</p> <p>19 can't control it, or something like that?</p> <p>20 A: Yes.</p> <p>21 Q: And you're saying that the chair can get up</p> <p>22 that much speed that that can happen?</p> <p>23 A: Yeah, if the ramp is high it can. If the</p> <p>24 ramp is high, of course, yes.</p>
<p>Page 39</p> <p>1 these ramps? I mean, can you tell me how you would do</p> <p>2 it with your wheelchair?</p> <p>3 A: I would roll myself up the ramp strenuously,</p> <p>4 and coming -- you want me to tell you coming down,</p> <p>5 also?</p> <p>6 Q: Yeah. I mean, I'd like to get an idea of</p> <p>7 what it was like for you, if you could describe it for</p> <p>8 me, of how you would use these ramps.</p> <p>9 A: Okay, basically up, like I just said, like</p> <p>10 I'm rolling myself, the only difference is I'm going</p> <p>11 up the ramp, and, you know, it takes a lot to get up</p> <p>12 that ramp.</p> <p>13 Q: More effort?</p> <p>14 A: And coming down I would hold, hold this</p> <p>15 right here while the chair's basically moving itself,</p> <p>16 and in the process it would burn this.</p> <p>17 Q: The palm of your hand?</p> <p>18 A: Yes.</p> <p>19 Q: Okay, because the wheels are rotating fast?</p> <p>20 A: Yes.</p> <p>21 Q: All right. What about the rails? Were you</p> <p>22 able to use the rails at all?</p> <p>23 A: No, only in emergencies. Like something</p> <p>24 like if the chair gets out of hand, I would grab a</p>	<p>Page 41</p> <p>1 Q: Did that ever happen to you, where you lost</p> <p>2 control of the wheelchair coming down in one of these</p> <p>3 ramps, corridors, or tunnels that we're talking about</p> <p>4 here?</p> <p>5 A: I believe I told you once I had to stop</p> <p>6 myself suddenly.</p> <p>7 Q: Okay.</p> <p>8 A: Yeah.</p> <p>9 Q: Just the one instance that you recall?</p> <p>10 A: Yes.</p> <p>11 Q: Okay. When that happened and you had to</p> <p>12 stop yourself suddenly, and you had issues with the</p> <p>13 palms of your hands, did you go to Cermak and get</p> <p>14 treated?</p> <p>15 A: Many times I did this. Sometimes I would</p> <p>16 get treated, and sometimes I didn't go to Cermak to</p> <p>17 get treated. Because it became a habit, like, you</p> <p>18 know, and sometimes I complained, and sometimes I</p> <p>19 didn't. Because, you know, I traversed the ramp many</p> <p>20 times. In fact, we, as wheelchair users, we use these</p> <p>21 ramps to get to where we're going. I know you're</p> <p>22 familiar with Cook County Jail, different places where</p> <p>23 you go to, like Cermak, to vote, court, we have to use</p> <p>24 these ramps to get to these places.</p>

<p style="text-align: right;">Page 42</p> <p>1 Q: If you had complained that the ramp was 2 causing you injuries to a nurse or a doctor at Cermak, 3 would that be in your medical records?</p> <p>4 MR. MORRISSEY: Object to the form. You can 5 answer.</p> <p>6 Q: (By Mr. Radunsky) You can answer.</p> <p>7 A: Yes.</p> <p>8 Q: Okay, did you do that? Do you believe that 9 you did that?</p> <p>10 A: Complained?</p> <p>11 Q: About the ramps causing injuries to your 12 hands.</p> <p>13 A: I did a few times to the nurse. It's in my 14 grievance.</p> <p>15 Q: And what kind of treatment did they give 16 you?</p> <p>17 A: They gave me pain pills. They gave me some 18 cream, some pain cream. I rubbed it on to, you know, 19 eliminate the cream, I mean the pain.</p> <p>20 Q: What about the shoulder, anything for that?</p> <p>21 A: Pain meds.</p> <p>22 Q: What was the date -- do you remember -- 23 prior to falling -- well, let me ask you this, prior 24 to falling out of the bed, how long were you at the</p>	<p style="text-align: right;">Page 44</p> <p>1 Division 4 that we were talking about, that we marked 2 as, I think, Group Exhibit 3, you have that in front 3 of you?</p> <p>4 A: This one?</p> <p>5 Q: Yeah, yeah, yeah.</p> <p>6 A: Okay.</p> <p>7 Q: Had you ever been told by anybody at the 8 jail that you should not be using that ramp, or it 9 wasn't for inmates to use to go up and down on for any 10 reason?</p> <p>11 A: No.</p> <p>12 Q: Okay. Had you ever used that ramp in 13 Division 4 prior to your accident in February of 2023?</p> <p>14 A: No, this is my first time.</p> <p>15 Q: First time? And because it was the first 16 time that you used it, was that the first time you 17 ever saw it?</p> <p>18 A: Yes.</p> <p>19 Q: Okay. Did you see anybody else using that 20 ramp, any other inmates that were -- strike that. Did 21 you see any other inmates in wheelchairs using that 22 ramp, either going up it or going down it? And I'm 23 talking about the ramp in Exhibit Number 3, the metal 24 ramp in Division 4.</p>
<p style="text-align: right;">Page 43</p> <p>1 jail without using the wheelchair?</p> <p>2 A: Maybe a couple weeks, a week or two. I 3 don't know. I'm not sure, maybe a week or two.</p> <p>4 Q: So you weren't at the jail very long when 5 you fell out of the bed?</p> <p>6 A: No.</p> <p>7 Q: Okay. Did you -- since you weren't there 8 very long, do you remember if you had used the ramp, 9 the corridor, or the tunnels that we're seeing in 10 Exhibit 1 or 2 below the RTU?</p> <p>11 A: I don't recall.</p> <p>12 Q: Okay, that's fine. I don't want you to 13 guess.</p> <p>14 A: I'm sorry. I'm sorry.</p> <p>15 Q: No, no, listen, that's one thing I should 16 have told you at the beginning of the deposition, but 17 we're in a little bit of a hurry today. I don't ever 18 want you to guess. If you don't know something, 19 please don't guess. It's not admissible, all right?</p> <p>20 I just want to know what you recall based on your 21 personal knowledge, okay?</p> <p>22 A: Sure.</p> <p>23 Q: Just a couple questions, and we'll come back 24 to some of this stuff later. The ramp that is in</p>	<p style="text-align: right;">Page 45</p> <p>1 A: There was another wheelchair user that used 2 this ramp the same day we voted, so yes.</p> <p>3 Q: You saw that?</p> <p>4 A: Yes.</p> <p>5 Q: Do you know who it was?</p> <p>6 A: Ricky Harris. Ricky Harris.</p> <p>7 Q: How did Ricky get up and down the ramp, do 8 you know?</p> <p>9 A: Someone pushed him.</p> <p>10 Q: Was it another inmate, or was it an officer?</p> <p>11 A: Another inmate.</p> <p>12 Q: Did you see him going up or down the ramp, 13 or both?</p> <p>14 A: Down the ramp. I didn't see him go up 15 because I was behind --</p> <p>16 Q: You were behind him?</p> <p>17 A: No, I wasn't behind him. I was like on the 18 other side. Like some inmates went ahead of us. Like 19 we were scattered like.</p> <p>20 Q: Okay.</p> <p>21 A: And he was one of the first to get up, so --</p> <p>22 Q: So when you say you were behind him, were 23 you down on the floor, or were you behind him coming 24 through the doors?</p>

Page 46	Page 48
<p>1 A: On the floors.</p> <p>2 Q: You were on the floors -- I'm sorry, on the</p> <p>3 floors, you were on the floor?</p> <p>4 A: Yes.</p> <p>5 Q: Okay, so if you just turned around you could</p> <p>6 see him coming down the ramp?</p> <p>7 A: No. I don't understand what you're asking,</p> <p>8 then.</p> <p>9 Q: Sure.</p> <p>10 A: Are you asking me, is he --</p> <p>11 Q: No, no, no, here look, this is a good</p> <p>12 question. So in Group Exhibit 3 we can see, you see a</p> <p>13 picture, you see a picture of the ramp?</p> <p>14 A: Yes.</p> <p>15 Q: Is that how it was situated on the day of</p> <p>16 your incident?</p> <p>17 A: Yes.</p> <p>18 Q: All right, is that what the ramp looked like</p> <p>19 on the day of your accident?</p> <p>20 A: Yes.</p> <p>21 Q: Is that the same location it was in?</p> <p>22 A: Yes.</p> <p>23 Q: All right. So you said that you were on the</p> <p>24 floor, right? Is that correct?</p>	<p>1 Q: -- voting, and you were just -- and this</p> <p>2 picture just doesn't show it, but you're back further</p> <p>3 out from the picture, and able to look up to the top</p> <p>4 of where the doors are at the top of the ramp; is that</p> <p>5 correct?</p> <p>6 A: That's correct.</p> <p>7 Q: And Mr. Harris was just at the top of the</p> <p>8 ramp?</p> <p>9 A: That's correct.</p> <p>10 Q: There was an inmate behind him that was</p> <p>11 getting ready to push him down the ramp?</p> <p>12 A: We were about to go back to the tier.</p> <p>13 Q: Uh-huh.</p> <p>14 A: Voting was over.</p> <p>15 Q: No, I understand that. I'm just asking you</p> <p>16 was there an inmate getting ready to push him down the</p> <p>17 ramp when you saw him?</p> <p>18 A: Why would he push him down the ramp when we</p> <p>19 were going up the ramp to leave?</p> <p>20 Q: Oh, so you're saying you saw him at the top</p> <p>21 of the ramp. You believe that Ricky, Mr. Harris, was</p> <p>22 already pushed up to the top of the ramp, and when you</p> <p>23 came around the corner you believe he was leaving?</p> <p>24 A: Yes.</p>
Page 47	Page 49
<p>1 A: Yes, yes.</p> <p>2 Q: And I'm pointing to the bottom of the ramp,</p> <p>3 correct?</p> <p>4 A: Uh-huh.</p> <p>5 Q: Is that a yes?</p> <p>6 A: Yes.</p> <p>7 Q: And you said that you saw Mr. Harris being</p> <p>8 pushed down the ramp, correct?</p> <p>9 A: From the way you had the question was you</p> <p>10 asked me our voting process was over, and I was like</p> <p>11 in the gym almost --</p> <p>12 Q: Okay.</p> <p>13 A: -- and Mr. Harris was up here already by the</p> <p>14 time I came. I'm confused on what you're asking.</p> <p>15 Q: Okay, so what you're saying is you were just</p> <p>16 much further away than what's shown in this photo, but</p> <p>17 you could see him at the top of the ramp?</p> <p>18 A: Yes.</p> <p>19 Q: Okay.</p> <p>20 A: Voting had ended.</p> <p>21 Q: I got it.</p> <p>22 A: We were going, we were leaving.</p> <p>23 Q: You were leaving --</p> <p>24 A: Yes.</p>	<p>1 Q: Okay. So you didn't see -- did you see</p> <p>2 Ricky get pushed up the ramp?</p> <p>3 A: No.</p> <p>4 Q: Okay, now I understand. Okay, now I got</p> <p>5 you. Did you see anybody else, any other inmates in</p> <p>6 wheelchairs using this ramp after voting?</p> <p>7 A: No.</p> <p>8 Q: Okay. I appreciate you explaining that.</p> <p>9 And how long after you saw Mr. Harris at the top of</p> <p>10 the ramp did your accident occur?</p> <p>11 A: Maybe about a minute --</p> <p>12 Q: Okay.</p> <p>13 A: -- maybe a minute-and-a-half.</p> <p>14 Q: When you saw him you were in your wheelchair</p> <p>15 obviously?</p> <p>16 A: Yes.</p> <p>17 Q: All right, and you were being pushed by</p> <p>18 another inmate?</p> <p>19 A: Yes.</p> <p>20 Q: And who was that inmate? Do you know what</p> <p>21 his name is?</p> <p>22 A: Marquis (phonetic) Watkins. And don't ask</p> <p>23 me how to spell it.</p> <p>24 Q: Okay. You're sure his first name was</p>

<p style="text-align: right;">Page 50</p> <p>1 Markese (phonetic), or Marquis?</p> <p>2 A: Yes.</p> <p>3 Q: All right. It's not somebody whose initial</p> <p>4 begins with a letter A, Watkins?</p> <p>5 A: No.</p> <p>6 Q: Okay. Was he a friend of yours?</p> <p>7 A: I wouldn't call him a friend, but he pushed</p> <p>8 me.</p> <p>9 Q: Okay. Was he in the RTU with you?</p> <p>10 A: Yes.</p> <p>11 Q: Okay, do you know what his physical or</p> <p>12 mental issue was, why he was there?</p> <p>13 A: I have no idea. That's like personal. I</p> <p>14 don't get involved with these guys.</p> <p>15 Q: No, that's okay. I mean, I'm just saying</p> <p>16 was he physically fit enough to push you up, to push</p> <p>17 you in the wheelchair and push you up a ramp?</p> <p>18 A: Yes.</p> <p>19 Q: Okay, and how do you know that?</p> <p>20 A: Mr. Maurine (phonetic) is his name?</p> <p>21 Officer --</p> <p>22 Q: Marin?</p> <p>23 A: -- Marin, the guys that pushed the two</p> <p>24 wheelchairs were the only two guys that were</p>	<p style="text-align: right;">Page 52</p> <p>1 A: I may have asked him, though, because</p> <p>2 normally I would ask officers to push.</p> <p>3 Q: But you don't recall?</p> <p>4 A: I don't recall.</p> <p>5 Q: Okay. Have you asked Officer Marin to push</p> <p>6 you before?</p> <p>7 A: That was my first time meeting Officer</p> <p>8 Marin, so no.</p> <p>9 Q: Had you asked other inmates in the past to</p> <p>10 push you when you were being escorted to someplace</p> <p>11 like voting?</p> <p>12 A: If there were a group of us, yes. Like</p> <p>13 one-on-one, like the officer and myself, or I would</p> <p>14 say no.</p> <p>15 Q: Had he, had Mr. Watkins ever escorted you or</p> <p>16 pushed your wheelchair anywhere for you before this</p> <p>17 accident happened?</p> <p>18 A: No.</p> <p>19 Q: So this is the first time he had ever pushed</p> <p>20 your wheelchair?</p> <p>21 A: Yes.</p> <p>22 Q: What does he look like? Can you physically</p> <p>23 describe him?</p> <p>24 A: Six feet tall, he had dreads, dreadlocks, I</p>
<p style="text-align: right;">Page 51</p> <p>1 physically fit, that were not, you know, ADA</p> <p>2 compliant. And he was in charge of taking all of the</p> <p>3 ADA people to vote.</p> <p>4 Q: When you say he, who?</p> <p>5 A: Maurine.</p> <p>6 Q: Oh, Marin?</p> <p>7 A: Marin, yeah.</p> <p>8 Q: Okay.</p> <p>9 A: And the guys that were pushing us were</p> <p>10 physically fit to push.</p> <p>11 Q: Okay.</p> <p>12 A: So they, they weren't the ADA people. They</p> <p>13 were assisting, so yes.</p> <p>14 Q: Did you ask Officer Marin to push you that</p> <p>15 day?</p> <p>16 A: I believe I did ask him.</p> <p>17 Q: Okay, I don't want you to guess. Did you?</p> <p>18 A: I'm not sure.</p> <p>19 Q: Okay, that's fine.</p> <p>20 A: Because that's awhile back, and I don't want</p> <p>21 to give you the wrong answer.</p> <p>22 Q: And I don't want you to either. And we just</p> <p>23 talked about not guessing, okay? So if you don't</p> <p>24 recall, you don't recall.</p>	<p style="text-align: right;">Page 53</p> <p>1 think that's what you call them, long hair,</p> <p>2 African-American, of course, slim, skinny. That's</p> <p>3 about the best description I can give you.</p> <p>4 Q: What about Officer Marin, what does he look</p> <p>5 like?</p> <p>6 A: 5'9" basically, I believe he wore glasses,</p> <p>7 dark hair, and I believe he was, he's Hispanic or</p> <p>8 white, if I'm not mistaken, but I'm leaning more</p> <p>9 towards of a Hispanic.</p> <p>10 Q: Okay.</p> <p>11 A: Yeah.</p> <p>12 Q: And during this process when you're being</p> <p>13 escorted to and from the Division 4, what is Officer</p> <p>14 Marin doing? What's his role?</p> <p>15 A: Supervising, basically making sure we're</p> <p>16 doing what we're supposed to do, keeping us out of</p> <p>17 trouble, just watching us basically.</p> <p>18 Q: How did you get -- I'm assuming you left</p> <p>19 from the RTU to go to Division 4 to vote?</p> <p>20 A: Yes.</p> <p>21 Q: What route did you take to get there?</p> <p>22 A: I don't understand what you're asking me.</p> <p>23 Q: Sure. Let me ask it to you this way, when</p> <p>24 you went to the gymnasium to vote, did you take the</p>

Page 54	Page 56
<p>1 ramp to get there?</p> <p>2 A: We had to.</p> <p>3 Q: So you went down the ramp to get to the gym?</p> <p>4 A: Yes.</p> <p>5 Q: Okay. And how did you get down the ramp?</p> <p>6 A: Pushed.</p> <p>7 Q: By Mr. Watkins?</p> <p>8 A: By Mr. Watkins, yes.</p> <p>9 Q: And Officer Marin was watching this?</p> <p>10 A: Yes.</p> <p>11 Q: Did anybody tell you, did Officer Marin, or</p> <p>12 did anybody, any other officers tell you that you</p> <p>13 should not be taking the ramp that morning, and you</p> <p>14 should be taking a different route to the gym?</p> <p>15 A: No.</p> <p>16 Q: How long did it take to get -- well, strike</p> <p>17 that. Was Officer Marin with you the entire time that</p> <p>18 you left the RTU, went to vote, and all the way</p> <p>19 through, until you had your accident?</p> <p>20 A: Yes.</p> <p>21 Q: All right. Was he the only officer</p> <p>22 supervising, or was there any other officers that you</p> <p>23 saw?</p> <p>24 A: There was another officer. I don't recall</p>	<p>1 by other inmates?</p> <p>2 A: That's correct.</p> <p>3 Q: Are you the only -- as far as you know,</p> <p>4 Mr. Harris was not injured using the ramp after</p> <p>5 voting, to go back up it?</p> <p>6 A: No.</p> <p>7 Q: Okay, and you actually saw him at the top of</p> <p>8 the ramp, correct?</p> <p>9 A: Yes.</p> <p>10 Q: All right. Were you able to -- but you</p> <p>11 didn't see him being pushed up the ramp?</p> <p>12 A: No.</p> <p>13 Q: All right. Now, do you know how long it</p> <p>14 took approximately -- well, strike that. Did you have</p> <p>15 any problems going down the ramp?</p> <p>16 A: I'm sorry for laughing. When I was going</p> <p>17 down the ramp he had to like hold me really tight to</p> <p>18 slow me down, because it was -- you know, I was going</p> <p>19 extremely fast, so he was, he was holding me to -- he</p> <p>20 had to like creep down with the chair, if that's</p> <p>21 making sense.</p> <p>22 Q: Okay.</p> <p>23 A: Yeah.</p> <p>24 Q: Was the ramp stable, or was it moving?</p>
Page 55	Page 57
<p>1 his name, but -- see, let me --</p> <p>2 Q: Sure.</p> <p>3 A: -- break it down.</p> <p>4 Q: Break it down.</p> <p>5 A: There were two officers. Marin, Marin was</p> <p>6 one, and the other one I don't know who he was, but he</p> <p>7 was an officer. I don't recall his name. He took the</p> <p>8 able-bodied -- can I say that word, able-bodied?</p> <p>9 Q: Yeah.</p> <p>10 A: The ones that are not disabled, he took</p> <p>11 them, and Mr., Officer Marin took the ADA people, so</p> <p>12 they like separated.</p> <p>13 Q: Okay, and did you all take the same route to</p> <p>14 get to the gym?</p> <p>15 A: We did take the same route, but when we came</p> <p>16 to this ramp we like came a different route. That's</p> <p>17 when we separated, because the people who weren't ADA,</p> <p>18 they used stairs.</p> <p>19 Q: How many people were in wheelchairs that</p> <p>20 went voting, that went to voting?</p> <p>21 A: Two.</p> <p>22 Q: Just you and Mr. Harris?</p> <p>23 A: Mr. Harris, yes.</p> <p>24 Q: All right, and both of you were being pushed</p>	<p>1 A: It was pretty stable. Scary, but stable.</p> <p>2 Q: Okay, were you able to hold onto the rails,</p> <p>3 or did you try to hold onto the side rails?</p> <p>4 A: No.</p> <p>5 Q: No?</p> <p>6 A: No.</p> <p>7 Q: Do you know how long the ramp is in Division</p> <p>8 4?</p> <p>9 A: I have no idea.</p> <p>10 Q: Okay.</p> <p>11 A: I can't measure that. I have no idea.</p> <p>12 Q: Do you know the angle that it was positioned</p> <p>13 at in Division 4?</p> <p>14 A: What do you mean by angle?</p> <p>15 Q: The angle that we see it there, do you know</p> <p>16 what the angle of that is? Is it a 30-degree angle?</p> <p>17 60 degree? 90? Do you know?</p> <p>18 A: I have no idea, it was just a ramp. I</p> <p>19 wasn't paying attention about angles, or whether it's</p> <p>20 durable and anything. I really wasn't paying</p> <p>21 attention to that.</p> <p>22 Q: Do you know how long it took you to get from</p> <p>23 the RTU, down the ramp and into the gymnasium?</p> <p>24 A: Approximately, down the ramp to the gym,</p>

<p>1 maybe five minutes.</p> <p>2 Q: Okay. Did you have to use any of the, the 3 tunnels or the corridors that we looked at in Exhibits 4 1 and 2?</p> <p>5 A: I believe it was one of these tunnels. I 6 don't recall which one, but we used one getting there.</p> <p>7 Q: Okay.</p> <p>8 A: And, of course, that one. But that was the 9 last one we used. But we did use one of those 10 tunnels.</p> <p>11 Q: When you'd go to court in those 15 or 20 12 times that you were there, did you have to use both 13 the tunnels, the east and the north tunnels, 14 corridors, or ramps?</p> <p>15 A: To be honest with you, I don't -- I did use 16 those tunnels, those ramps, or whatever you want to 17 call them. Because getting from RTU to court was 18 quite a distance, and I do recall using some of these 19 ramps. And if you ask me which one, I wouldn't know. 20 But I did, I do recall them --</p> <p>21 Q: Did you use --</p> <p>22 A: -- especially this one, this one right here.</p> <p>23 Q: Okay, when you say this one, you're talking 24 about, I believe we marked this one as Exhibit 2.</p>	<p>Page 58</p> <p>1 used force to get up the ramp. But we had no idea 2 that at the front of this ramp there was some type of 3 dip, or wedge, or something that caused the ramp to 4 stop the chair suddenly. And that's what happened. 5 He pushed, he had not had no idea of the structure of 6 this ramp. So by the time he got to the front of it, 7 if I can show you, right here, by the time he got 8 there the wheelchair stopped suddenly, and I was like 9 flying out of the chair and I landed on the ramp. 10 Q: And even though you had went down it 11 earlier, you didn't see the lip at the bottom of the 12 ramp as you were going back up it with Mr. Watkins? 13 A: No. 14 Q: And Mr. Watkins didn't say anything to you 15 about it as he was moving towards it? There was no 16 conversation about it? 17 A: No, we had no idea that it was like that, he 18 or I. No, we had no idea. We thought it was just a 19 regular ramp. 20 Q: And why do you say that? Did you two have a 21 conversation about it, or was there any discussion 22 about that ramp at any time? 23 A: No, it's just a ramp. He pushed. 24 Q: So when you say he has no idea that that lip</p>
<p>1 This would be what I called the north tunnel --</p> <p>2 A: North tunnel.</p> <p>3 Q: -- or the corridor?</p> <p>4 A: Yes.</p> <p>5 Q: Okay. But you don't recall having to use 6 both every single time that you went to court? You 7 remember maybe just using one, and you think it might 8 have been the one in the photograph, what we marked as 9 Exhibit 2?</p> <p>10 A: It may have been both. But I'm quite for 11 sure that one for sure, but it may have been both. 12 Like I said, it's a long way from RTU to the vote, I 13 mean to the court.</p> <p>14 Q: Okay. So after you voted in Division 4 and 15 you're going back to the RTU, and Mr. Watkins is 16 pushing you, what happened? Can you tell me in your 17 own words what happened?</p> <p>18 A: What do you mean, referring to the ramp?</p> <p>19 Q: Yeah, what happened? He's pushing you 20 along, and then what happened?</p> <p>21 A: I mean, he was pushing. He wanted to get a 22 start, a head start because -- with force. Because 23 the ramp was at an angle where you would actually have 24 to use force to get up. And that's what he did, he</p>	<p>Page 59</p> <p>1 was there, how do you know that?</p> <p>2 A: Because had we known, we would have took 3 other precautions. We never knew it was there.</p> <p>4 Q: Did he say to you that he didn't know it was 5 there, or are you just assuming that?</p> <p>6 A: He didn't say it, but I know he didn't know 7 as he was pushing. If either of us would have known, 8 he wouldn't have done that.</p> <p>9 Q: Okay. And how do you know that? This was 10 the first time that you met him, you said, right?</p> <p>11 A: That's right.</p> <p>12 Q: That's the first time he had ever pushed 13 you?</p> <p>14 A: He's in the same tier I'm on. He's not a 15 friend, but I talk to him.</p> <p>16 Q: But when you said that he was using force, 17 what do you mean, he was like starting to walk faster? 18 Jog?</p> <p>19 A: Walking faster, going a bit faster, just to 20 get a momentum to go up the ramp. Because the ramp 21 was so slanted at a degree, sort of like that.</p> <p>22 Q: Okay, so he was sort of trotting towards the 23 ramp?</p> <p>24 A: Sort of, yes.</p>

<p style="text-align: right;">Page 62</p> <p>1 Q: Okay. In other words, he just wasn't doing 2 the normal walking pace, right?</p> <p>3 A: No, because there was no way I would have 4 made it up the ramp.</p> <p>5 Q: Did you ever ask him -- did you ever tell 6 him you didn't want to take the ramp, that you wanted 7 to take another route?</p> <p>8 A: No.</p> <p>9 Q: Where were the officers -- was Officer Marin 10 in the vicinity while you're going up the ramp?</p> <p>11 A: He's at the top, yeah.</p> <p>12 Q: So he saw you actually coming up the ramp?</p> <p>13 A: Yes, he did.</p> <p>14 Q: Did he say anything as you were approaching 15 the ramp?</p> <p>16 A: He didn't say a word.</p> <p>17 Q: Nothing?</p> <p>18 A: No.</p> <p>19 Q: He just watched?</p> <p>20 A: He just looked amazed. Like awe, he looked 21 in awe, like mouth all open.</p> <p>22 Q: Okay. And did you talk to him after the 23 incident?</p> <p>24 A: No, I just --</p>	<p style="text-align: right;">Page 64</p> <p>1 A: My wrists.</p> <p>2 Q: Your wrists?</p> <p>3 A: Yeah.</p> <p>4 Q: And?</p> <p>5 A: Upper body, you know --</p> <p>6 Q: When you say upper body, you were pointing 7 to your shoulders again?</p> <p>8 A: Yes, because this injury that -- this is a 9 life, I will say a lifetime of injuries. Because of 10 the surgery I'm still going through pain to this day.</p> <p>11 But it's not pain where -- like right now I'm not in 12 pain, but if I was to fall, it would like activate 13 that pain. It would like --</p> <p>14 Q: Okay.</p> <p>15 A: -- bring it to existence.</p> <p>16 MR. MORRISSEY: Just for the record, you 17 were pointing to your right? Were you pointing to 18 your body?</p> <p>19 THE WITNESS: Oh.</p> <p>20 MR. RADUNSKY: Yeah, he was, I think -- I 21 don't remember where he was pointing to.</p> <p>22 Q: (By Mr. Radunsky) And any time that day, 23 and we're talking about the February, 2023 incident, 24 did you ever refuse Officer Marin or any officer's</p>
<p style="text-align: right;">Page 63</p> <p>1 Q: Did he say anything to you?</p> <p>2 A: Are you okay.</p> <p>3 Q: Okay, and so what did you tell him?</p> <p>4 A: I'm hurting a little. My hands and arms are 5 hurting. Basically that was it. It wasn't a long 6 conversation.</p> <p>7 Q: How did you come out of the wheelchair?</p> <p>8 When it hit the lip there at the bottom of the ramp, 9 what happened to you?</p> <p>10 A: I was airborne, like flying through the air 11 like Superman or something.</p> <p>12 Q: Okay. And how did you come down? Can you 13 tell me how you landed?</p> <p>14 A: I landed like this on my hands. And my 15 stomach, legs, I was like flat on the rail, or on the 16 ramp.</p> <p>17 Q: So you were on the ramp when you came to 18 rest?</p> <p>19 A: Yes.</p> <p>20 Q: Okay, you weren't on the ground, you were 21 actually on the ramp?</p> <p>22 A: I was on the ramp.</p> <p>23 Q: All right. And you're saying that you felt 24 pain, or that you had hurt your hands, and what else?</p>	<p style="text-align: right;">Page 65</p> <p>1 request to push you?</p> <p>2 A: He never requested.</p> <p>3 Q: I'm asking you, though, did you ever refuse?</p> <p>4 I mean, if that happened, if one of the officers had 5 asked you, or the officer said that they had asked you 6 and you refused, would that not be true?</p> <p>7 A: I would always accept, you know, if 8 someone's -- if an officer requested to push me, I 9 would never turn him down.</p> <p>10 Q: Okay.</p> <p>11 A: I would always say yes to him or her.</p> <p>12 Q: Okay, so you're saying you did not refuse 13 that day, if you were asked?</p> <p>14 A: That's correct.</p> <p>15 Q: All right. If an officer asked to push you 16 in the wheelchair that day in and out of Division 4, 17 you would have accepted?</p> <p>18 A: That's correct, I would have accepted.</p> <p>19 Q: Had you ever refused an officer's request to 20 push you before?</p> <p>21 A: Never.</p> <p>22 Q: Okay. Had you ever been to Division 4, in 23 the gymnasium before?</p> <p>24 A: That was basically my first time there</p>

<p>1 basically. I don't get around. I don't go out that 2 often, so that was my first time, I believe. 3 Q: Do you know if there was other routes that 4 you could have taken to and from the RTU to Division 5 4, so that you wouldn't have to use that metal ramp? 6 A: I have no idea. Like I said, I don't get 7 out that often, and I'm not that familiar with the 8 Cook County Jail. I'd never been to jail before I 9 came. This was my first time ever being in Cook 10 County Jail -- 11 Q: Okay. 12 A: -- so I'm not familiar with it. 13 Q: In the two pictures that we've marked as 14 Group Exhibits 1 and 2, which is the east and the 15 north tunnel or corridor, do you know -- and we'll 16 start with the east, the east tunnel, do you know how 17 long it is? 18 A: Like I said, measurements I don't know. 19 Q: Okay. 20 A: I don't know. To be honest with you, I 21 don't know. 22 Q: Do you know if it has any type of flat 23 landing in this tunnel? 24 A: No.</p>	<p>Page 66</p> <p>1 A: No. 2 Q: Do you know how far they are off the wall? 3 A: I have no idea. 4 Q: Do you have any idea if these are compliant 5 with the Americans with Disabilities Act? 6 A: I don't recall. I don't know. 7 Q: Okay. Do you know what the rise is in this 8 corridor, tunnel, that we're looking at in photograph 9 Exhibit Number 1? 10 A: I never measured it, so I don't know. 11 Q: Have you ever seen, or do you have any 12 knowledge of anybody taking measurements of either of 13 these tunnels or corridors that we're looking at in 14 Exhibits 1 or 2? 15 A: I don't know. 16 Q: I'm asking you do you have any personal 17 knowledge of anybody taking measurements of these 18 areas that we're looking at in photos 1 and 2? 19 A: No, no personal knowledge. 20 Q: Okay. Mr. Marquis Watson -- 21 A: Watkins. 22 Q: -- Watkins -- 23 A: Yes. 24 Q: -- tell me how it became that he's pushing</p>
<p>1 Q: No, it does not -- 2 A: I don't know. 3 Q: -- or you don't know? 4 A: I'm not sure. 5 Q: Okay, all right. I don't want you to guess 6 again. So again, with respect to the first photo that 7 we've marked as Exhibit Number 1, which is the east 8 tunnel, you don't know if this has sort of a flat 9 landing area as you're going down it? 10 MR. MORRISSEY: Objection, asked and 11 answered. You can answer. 12 Q: (By Mr. Radunsky) You can answer. 13 A: I don't think it does. 14 Q: Okay. I don't want you to guess. Do you 15 know if it does or does not? 16 A: I don't think -- 17 Q: I don't want you to guess. 18 A: It does not. 19 Q: Okay. And you can see that there are 20 handrails in photograph Exhibit Number 1, right, which 21 is the east tunnel? Do you see those? 22 A: Yes. 23 Q: All right. Do you know how high those are 24 up off the ground?</p>	<p>Page 67</p> <p>1 your chair? Did you ask him, or did he just come up 2 to you? I mean, how does that happen? 3 A: He asked me. 4 Q: He asked you? 5 A: Yes. 6 Q: Okay, and then so what does he do? He just 7 comes up and says, hey, I'll push you in the 8 wheelchair? 9 A: No, he said, he asked me, you know, can I 10 push your wheelchair. See, if you push a wheelchair 11 it's like a privilege. You don't get handcuffed, and, 12 you know, you don't have to walk through the halls 13 with your hands cuffed behind you and stuff. So it's 14 a privilege. You know, you push without cuffs. So he 15 asked me could he push me. And I knew him. We wasn't 16 friends, of course, like you asked me earlier, but, 17 you know, he's on the same tier I'm on. We live in 18 the same area, tier. 19 Q: Had you ever seen him push anybody else in a 20 wheelchair? 21 A: No. 22 Q: Okay. But you trusted him? 23 A: Yes. 24 Q: Do you know, were there any -- when you fell</p>

<p style="text-align: right;">Page 70</p> <p>1 out of the chair were there any witnesses to that 2 incident, besides Officer Marin and Mr. Watkins?</p> <p>3 A: All of the people that were ADA. So there 4 were about, there were around, I don't know, seven of 5 us, seven.</p> <p>6 Q: Can you give me any names?</p> <p>7 A: Ricky Harris, of course, and, I mean, 8 Marquis Watkins, of course.</p> <p>9 Q: Right, right.</p> <p>10 A: Hornorio (phonetic) Perez, Joe, well, Joseph 11 Sarantino (phonetic), Michael Mayo (phonetic). And 12 there was others. If I think about it I can tell you, 13 but --</p> <p>14 Q: I think you mentioned William Dukes?</p> <p>15 A: William Dukes. Yeah, William Dukes is 16 another one, yes.</p> <p>17 Q: Are these friends of yours while you were at 18 the jail, people that you interacted with regularly?</p> <p>19 A: I interacted -- I don't call people at the 20 jail my friends, but they were people I interacted 21 with, yes.</p> <p>22 Q: What did they tell you, I mean, when you 23 spoke to these witnesses? Did you speak to these 24 witnesses, or did they just tell you that they were</p>	<p style="text-align: right;">Page 72</p> <p>1 you up did you say anything to him, like, hey, you 2 know, look what just happened, or I'm injured? Or 3 what did you say to him?</p> <p>4 A: No, he just came from behind me and picked 5 me up off the floor. I told him thank you, I 6 appreciate his help getting me off the floor. And 7 that was it basically. It wasn't a long conversation.</p> <p>8 Q: Did he have any trouble picking you up? I 9 mean, I'm assuming, did he help you get back in your 10 wheelchair?</p> <p>11 A: He's a big guy, so he actually lifted me off 12 the floor and placed me back into the chair, like I 13 was a baby.</p> <p>14 Q: Was he in a wheelchair?</p> <p>15 A: No.</p> <p>16 Q: He was walking?</p> <p>17 A: He had a cane.</p> <p>18 Q: He had a cane? And he was still able to, 19 even with the cane, put that down and --</p> <p>20 A: He took the cane, placed the cane down, and 21 he lifted me up and placed me back in the chair. That 22 was it.</p> <p>23 Q: How much do you weigh? How much do you 24 think you weighed at the time?</p>
<p style="text-align: right;">Page 71</p> <p>1 present and they would know what happened?</p> <p>2 A: I mean, they knew what happened. I didn't 3 really go up to them and say, did you see what 4 happened, no.</p> <p>5 Q: Okay.</p> <p>6 A: It wasn't really a conversation.</p> <p>7 Q: Do you know if any of them have ever filed 8 lawsuits against the County, or claims against the 9 County?</p> <p>10 A: I have no idea.</p> <p>11 Q: All right. When you fell out of the chair, 12 what happened at that point? Did somebody come and 13 help you back up, or what happened?</p> <p>14 A: An inmate came and helped me up off the 15 floor.</p> <p>16 Q: And who was that, do you know?</p> <p>17 A: Michael Mayo.</p> <p>18 Q: Michael Mayo?</p> <p>19 A: Yes.</p> <p>20 Q: And did you talk to him?</p> <p>21 A: What do you mean did I --</p> <p>22 Q: I'm sorry?</p> <p>23 A: What do you mean?</p> <p>24 Q: What did you tell -- when he came and picked</p>	<p style="text-align: right;">Page 73</p> <p>1 A: About 170 pounds.</p> <p>2 Q: Okay, how tall are you?</p> <p>3 A: 5'8", 5'9".</p> <p>4 Q: And what about Mr. Mayo? Can you give me 5 his height and weight?</p> <p>6 A: Six feet, probably 200, I'm guessing 215, 7 220.</p> <p>8 Q: What happened? I mean, after he put you in 9 the chair, where did he go?</p> <p>10 A: I don't know. He just got back in and --</p> <p>11 Q: And left?</p> <p>12 A: No, he didn't leave. We were like in a 13 group, and I don't know, he just got back beside me or 14 behind me.</p> <p>15 Q: Did he -- did you speak to him again, or any 16 time after that?</p> <p>17 A: I mean, we talked, but not about what 18 happened.</p> <p>19 Q: Okay. Was he the only person that helped 20 you back in your wheelchair?</p> <p>21 A: Yeah, he's the only person. He was the only 22 person.</p> <p>23 Q: Did Officer Marin assist at all?</p> <p>24 A: No, he just looked like amazed, and mouth</p>

Page 74	Page 76
<p>1 open and shocked.</p> <p>2 Q: And what happened after you got in the</p> <p>3 wheelchair? Where did you go?</p> <p>4 A: Back to Division 8 RTU.</p> <p>5 Q: Okay, and did you get medical treatment for</p> <p>6 whatever happened on the ramp?</p> <p>7 A: I saw the nurse, Nurse G, that I was talking</p> <p>8 to you about --</p> <p>9 Q: Yeah.</p> <p>10 A: -- and I showed her my injury. It was</p> <p>11 basically just scars and stuff on me. And she</p> <p>12 referred me to the doctor at Cermak, and that's when I</p> <p>13 went to Cermak to see the doctor.</p> <p>14 Q: And what, what other treatment have you</p> <p>15 gotten for the injuries on the ramp, other than what</p> <p>16 you just told me?</p> <p>17 A: Like I said, pain pills, pain cream, which</p> <p>18 was amazing. It worked really well. And that was</p> <p>19 basically it. Pain cream and pain meds that I took</p> <p>20 for it, and that was it.</p> <p>21 Q: Okay, and you didn't need anymore follow-up</p> <p>22 care after that? You felt okay?</p> <p>23 A: Yeah.</p> <p>24 Q: Okay.</p>	<p>1 these ramps, or these tunnels, or these corridors that</p> <p>2 we've looked at in the two photos?</p> <p>3 A: Are you saying in a wheelchair?</p> <p>4 Q: Yeah. I mean, any other -- go ahead, I'm</p> <p>5 sorry, yes.</p> <p>6 A: I mean, yeah, Ricky Harris, for one of them</p> <p>7 for sure.</p> <p>8 Q: Okay.</p> <p>9 A: He complained about these ramps. And there</p> <p>10 were others. I mean, I don't recall people's names</p> <p>11 that often. Like --</p> <p>12 Q: Sure.</p> <p>13 A: -- I don't associate with people in jail.</p> <p>14 Q: What were -- you know, just in general, what</p> <p>15 was Ricky complaining about? The same thing that you</p> <p>16 were, or what was he saying? Tell me.</p> <p>17 A: Basically the same thing, you know, how hard</p> <p>18 it was to go up or down these ramps --</p> <p>19 Q: Okay.</p> <p>20 A: -- basically.</p> <p>21 Q: After this ramp incident did you file -- and</p> <p>22 I'm talking about the one in February of 2023 in</p> <p>23 Division 4 -- did you file a grievance?</p> <p>24 A: Yes.</p>
Page 75	Page 77
<p>1 A: I just kept checking in with the nurse,</p> <p>2 making sure I was okay. She said if I develop</p> <p>3 anymore -- well, the doctor said if I developed</p> <p>4 anymore pain or whatever, come and see him, just to</p> <p>5 follow up.</p> <p>6 Q: So you think those injuries from a year ago</p> <p>7 have pretty much resolved?</p> <p>8 A: Excuse me? I'm sorry.</p> <p>9 Q: You think that the injuries to your hands</p> <p>10 and your wrists and all of that has resolved?</p> <p>11 A: Pretty much.</p> <p>12 Q: Okay. When you say pretty much, I mean --</p> <p>13 A: Yes.</p> <p>14 Q: -- what do you mean? You know, if you say</p> <p>15 that to a lawyer, you know we're going to follow up.</p> <p>16 I just had another question. I lost my train of</p> <p>17 thought. Have you been back -- well, you haven't. I</p> <p>18 mean, is the only time that you've been to Division 4</p> <p>19 since -- strike that. Strike that. Have you been</p> <p>20 back to Division 4 since your accident at all?</p> <p>21 A: No.</p> <p>22 Q: Okay. Do you know anybody else, any other</p> <p>23 inmates that were at the Cook County Jail that had</p> <p>24 similar experiences as you, and had difficulty using</p>	<p>1 Q: All right. And you've reviewed your</p> <p>2 grievance?</p> <p>3 A: Yes.</p> <p>4 Q: And did you get a response to your</p> <p>5 grievance?</p> <p>6 A: Yes, I did.</p> <p>7 Q: All right. The grievance we can mark as</p> <p>8 Exhibit --</p> <p>9 MR. RADUNSKY: I think we're on 4; is that</p> <p>10 right, Sally?</p> <p>11 THE REPORTER: Yes.</p> <p>12 Q: (By Mr. Radunsky) And it's going to be the</p> <p>13 grievance from, it's going to be the grievance from</p> <p>14 2-18-23. Do you have that in front of you? Do you</p> <p>15 have that in front of you?</p> <p>16 A: Yes.</p> <p>17</p> <p>18 (Defendants' Exhibit No. 4</p> <p>19 marked for identification)</p> <p>20</p> <p>21 MR. MORRISSEY: The copies you have are</p> <p>22 front and back.</p> <p>23 THE WITNESS: All right.</p> <p>24 Q: (By Mr. Radunsky) And this is your</p>

<p style="text-align: right;">Page 78</p> <p>1 grievance, correct, that you filed after your incident 2 in Division 4?</p> <p>3 A: Yes.</p> <p>4 Q: And it's dated 2-18-23?</p> <p>5 A: Yes.</p> <p>6 Q: And it says the incident occurred at 12:35 7 to 12:40 a.m.?</p> <p>8 A: Yes.</p> <p>9 Q: And it says the location was Division 4, 10 near the gym area where voting occurred, correct?</p> <p>11 A: Yes.</p> <p>12 Q: And you mentioned that Officer Marin was a 13 witness, right?</p> <p>14 A: Yes.</p> <p>15 Q: Now, is there anything -- and this is, your 16 grievance is four pages long; is that right? And it's 17 actually Bates Pages Westmoreland 326 to Westmoreland 18 330?</p> <p>19 MR. MORRISSEY: We don't have Bates stamps 20 on our documents.</p> <p>21 MR. RADUNSKY: Oh, okay, that's fine. I'll 22 just mark it for the record. He doesn't need them.</p> <p>23 MR. MORRISSEY: The copy we have is 24 redacted. That's the way we received it through FOIA.</p>	<p style="text-align: right;">Page 80</p> <p>1 of your knowledge?</p> <p>2 A: One moment.</p> <p>3 Q: Sure.</p> <p>4 A: No, it's accurate.</p> <p>5 Q: Okay. And I just wanted to clarify, you 6 said, as the front wheels of the wheelchair hit the 7 ramp, the wheelchair stopped instantly, causing me to 8 fall forward, in parentheses, airborne, landing on the 9 ramp; is that right?</p> <p>10 A: That is correct.</p> <p>11 Q: Okay. So you're saying it just abruptly 12 stopped when it hit the lip of this ramp?</p> <p>13 A: Yes.</p> <p>14 Q: Okay. When you went down the ramp the first 15 time and you got to the bottom of it, did you and 16 Mr. Watkins have any discussion about the difficulties 17 of getting down the ramp?</p> <p>18 A: No, we were just going fast. He had to slow 19 me down by pulling, holding back.</p> <p>20 Q: Was there any discussion at any point about 21 not using that ramp to go back to the RTU?</p> <p>22 A: No.</p> <p>23 Q: And I'm talking about the ramp, the metal 24 ramp in Division 4.</p>
<p style="text-align: right;">Page 79</p> <p>1 MR. RADUNSKY: Really?</p> <p>2 MR. MORRISSEY: Yeah, I didn't bring the one 3 we produced. Why don't you look at this one.</p> <p>4 MR. RADUNSKY: I've got extra.</p> <p>5 MR. MORRISSEY: Look at this one. This is 6 the one that he's looking at.</p> <p>7 THE WITNESS: Okay.</p> <p>8 Q: (By Mr. Radunsky) Okay, Mr. Westmoreland, 9 you have a copy of your grievance from 2-18-23, that 10 we've identified as Bates 326 to 330?</p> <p>11 A: Yes.</p> <p>12 Q: All right. This is all in your handwriting, 13 correct?</p> <p>14 A: Yes.</p> <p>15 Q: All right, and you've also read a copy of 16 your lawsuit, correct?</p> <p>17 A: Excuse me?</p> <p>18 Q: You've also read a copy of your lawsuit? 19 Well, strike that. Have you read a copy of your 20 lawsuit that you filed in this case?</p> <p>21 A: Yes.</p> <p>22 Q: All right. Now, are you, is there anything 23 in this grievance that you wrote that you wanted to 24 change, or is everything in it accurate, to the best</p>	<p style="text-align: right;">Page 81</p> <p>1 A: Here?</p> <p>2 Q: Yeah.</p> <p>3 A: No, there wasn't any discussion at all.</p> <p>4 Q: It says on Bates Page 330, which is the last 5 page, the jail response from Sabrina Conchala, 6 C-O-N-C-H-A-L-A, says that, one portion of it says, 7 detainee was given medical attention, and per his MR. 8 examine and imagery were normal -- or per his -- I'm 9 sorry, let me re-read that again. The detainee was 10 given medical attention, and per his doctor, exam and 11 imaging was normal. Is that true, that you --</p> <p>12 A: It is.</p> <p>13 Q: How long, how much time did you spend with 14 the nurse or the doctor getting treated after this 15 incident, before you were allowed to go back to your 16 bunk?</p> <p>17 A: Combined, I would say the nurse and the 18 doctor, it was -- time elapsed, I was there an 19 hour-and-a-half approximately.</p> <p>20 Q: Before you got to the ramp did the ramp 21 (sic) strike any objects nearby, or did it just hit 22 the lip?</p> <p>23 A: Just the lip in front. I mean, there 24 were -- it was smooth sailing until we got to the</p>

Page 82	Page 84
<p>1 ramp. So there weren't any objects around or 2 anything, it was just the ramp.</p> <p>3 Q: Was anything covering the ramp or the lip?</p> <p>4 In other words, was there anything that made it so you 5 couldn't see it?</p> <p>6 A: No, just, just the ramp.</p> <p>7 Q: When you and Mr. Watkins were approaching 8 the ramp, were either of you distracted by anything, 9 or for any reason?</p> <p>10 A: No.</p> <p>11 Q: All right. So you were able to easily see 12 the ramp? There was no difficulty seeing it?</p> <p>13 A: No, not at all.</p> <p>14 Q: Did the ramp ever move at all when you went 15 up it? Or I'm sorry, when you were going up it I know 16 you hit the lip. But did the ramp itself ever move?</p> <p>17 Did it ever shift?</p> <p>18 A: No, I don't recall it shifting, so no.</p> <p>19 Q: Other than seeing people using 20 wheelchairs -- I'm sorry, strike that. Other than 21 seeing Mr. Harris using a wheelchair to get down it, 22 did you see anybody else, whether able-bodied or using 23 a wheelchair, going up or down that ramp that morning?</p> <p>24 A: No.</p>	<p>1 A: Yes, I told them I fell out of the 2 wheelchair and injured my hands, wrists, upper body 3 parts.</p> <p>4 Q: Did you tell them how you fell out of the 5 wheelchair? In other words, what you were doing that 6 led to it?</p> <p>7 A: I told them I was going up a ramp basically.</p> <p>8 Q: Did you tell them somebody was pushing you, 9 another inmate?</p> <p>10 A: No.</p> <p>11 Q: Did you tell them that there was a lip that 12 the wheelchair struck?</p> <p>13 A: No, I didn't go into details. I just told 14 them I fell and I hurt myself. You know, he didn't 15 ask me any details or anything, and I didn't give him 16 any details. I just told him I fell out of a 17 wheelchair basically going up the ramp and hurt 18 myself, and that's when he examined me.</p> <p>19 Q: Did you see Mr. Watkins again? I mean, in 20 other words, after you were done treating at the RTU, 21 at a later date did you run into him again?</p> <p>22 A: We lived on the same tier --</p> <p>23 Q: Yeah.</p> <p>24 A: -- so I saw him every day.</p>
Page 83	Page 85
<p>1 Q: Okay. Were any officers escorting any 2 inmates, that you could see, in wheelchairs that 3 morning to Division 4?</p> <p>4 A: I don't recall.</p> <p>5 Q: Okay. Do you know who Dr. Papiez is, 6 P-A-P-I-E-Z? Do you know at all?</p> <p>7 A: That doctor sounds familiar, or that name 8 sounds familiar.</p> <p>9 Q: Do you remember treating with him on the 10 morning of this incident in Division 4?</p> <p>11 A: You mean regarding the ramp?</p> <p>12 Q: Yeah, afterwards. After the ramp incident 13 do you recall treating with him?</p> <p>14 A: Yes.</p> <p>15 Q: You do?</p> <p>16 A: If that's his name, of course. I don't, I 17 don't --</p> <p>18 Q: Okay.</p> <p>19 A: The doctors always tell me their name, but 20 it like goes in one ear and it comes out the other.</p> <p>21 Q: Do you remember what you would have told the 22 doctors and nurses about what happened to you? You 23 know, if they asked what had occurred, did you tell 24 them?</p>	<p>1 Q: Did you talk to him about what happened?</p> <p>2 A: He apologized basically, saying he had no 3 idea that the ramp was like that, and neither did I.</p> <p>4 No, basically that was it. We didn't have a long 5 conversation because it was an accident. He didn't do 6 it intentionally. You know, it was just -- he 7 apologized.</p> <p>8 Q: And did you continue to fraternize with him 9 and socialize with him --</p> <p>10 A: Yes.</p> <p>11 Q: -- until you were, until you left the jail?</p> <p>12 A: Yes.</p> <p>13 MR. RADUNSKY: I've got nothing else.</p> <p>14 Thanks for your time.</p> <p>15 MR. MORRISSEY: We'll waive. (end time: 16 10:11 a.m.)</p> <p>17</p> <p>18 SIGNATURE WAIVED BY AGREEMENT OF COUNSEL AND WITNESS</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

<p>1 State of Illinois 2 SS 3 County of Madison 4 5 I, Sally Barach, a Notary Public in and for 6 the State of Illinois, duly commissioned, qualified, 7 and authorized to administer oaths and to certify to 8 depositions, do hereby certify that pursuant to Notice 9 in the cause now pending and undetermined in the 10 United States District Court for the Northern District 11 of Illinois, Eastern Division, to be used in the trial 12 of said cause in said court, I was attended at the 13 Taylorville Correctional Center, 1144 Illinois Route 14 29, in the City of Taylorville, State of Illinois, by 15 the aforesaid witness, and by the aforesaid attorneys, 16 on the 12th day of December, 2023. 17 The said witness, being of sound mind, and 18 being by me first carefully examined and duly 19 cautioned and sworn to testify the truth, the whole 20 truth, and nothing but the truth in the case 21 aforesaid, thereupon testified as is shown in the 22 foregoing transcript, said testimony being by me 23 reported in shorthand and caused to be transcribed 24 into typewriting, and that the foregoing pages</p>	Page 86
<p>1 correctly set forth the testimony of the 2 aforementioned witness, together with the questions 3 propounded by counsel and remarks and objections of 4 counsel thereto, and is in all respects a full, true, 5 correct, and complete transcript of the questions 6 propounded to and the answers given by said witness, 7 that signature of the deponent was waived by agreement 8 of counsel and of witness. 9 I further certify that I am not of counsel 10 or attorney for either of the parties to said suit, 11 not related to nor interested in any of the parties or 12 their attorneys. 13 14 15 16  17 18 State of Illinois 19 CSR No. 084-003760 20 21 22 23 24</p>	Page 87

23 (Pages 86 - 87)

[& - accept]

Page 1

&	19 7:1 1961 9:21,22 1990s 19:24 19th 9:21 1:22 2:9	23 7:7 230 4:14,15 233-7900 4:8 24 6:9 2472 10:3	5 5 35:20 5'7 37:18 5'8 73:3 5'9 53:6 73:3
0			
01442 2:9 084-003760 87:19			
1	2 5:9,14 33:22 34:2 35:6 38:9 38:11 40:6 43:10 58:4,24 59:9 66:14 68:14,18 2-18-23 5:17 77:14 78:4 79:9 20 35:24 36:1 58:11 200 73:6 2000 16:23 2000s 19:22 20:3,3,4 2014 16:24 2017 18:2 2018 18:2,2 2019 24:1 25:12 2023 1:5 2:20 24:4 36:12 44:13 64:23 76:22 86:16 21 6:3,5,9 215 73:6 22 6:13 7:1,5,5 220 73:7	25 18:6 26th 24:4 29 2:21 86:14 3 3 5:10,15 34:13 34:17 44:2,23 46:12 30 57:16 300-4479 4:17 30th 23:23,23 312 4:17 32 5:8 326 78:17 79:10 33 5:9 330 78:18 79:10 81:4 34 5:10 3900 10:7,7 4 4 5:11,16 34:12 36:6,11 44:1 44:13,24 53:13 53:19 57:8,13 59:14 65:16,22 66:5 75:18,20 76:23 77:9,18 78:2,9 80:24 83:3,10	6 60 57:17 60606 4:16 60643 4:7 7 7 6:3,13 77 5:11 773 4:8 8 8 5:4 24:7 74:4 85 17:1 8:46 8:7 9 90 57:17 90s 19:21,23 a a.m. 8:7 78:7 85:16 able 39:22 48:3 55:8,8 56:10 57:2 72:18 82:11,22 abruptly 80:11 abuse 6:20,22 22:12,14 accent 37:23 accept 65:7

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888-391-3376
Exhibit 5 Page 24

[accepted - attention]

Page 2

accepted 65:17 65:18	aggravated 6:22 22:14	answered 23:7 67:11	38:22 67:9 69:18 78:10
accident 9:12 44:13 46:19 49:10 52:17 54:19 75:20 85:5	ago 8:22 75:6 agreed 2:15 3:3 agreement 85:18 87:7 ahead 19:10 45:18 76:4	answers 10:19 10:21 17:9 87:6	areas 68:18 arms 63:4 arrived 23:20 article 6:15 22:7
accurate 79:24 80:4	air 63:10	anybody 36:10 44:7,19 49:5	asked 47:10 52:1,5,9 65:5,5
act 68:5	airborne 63:10 80:8	54:11,12 68:12 68:17 69:19 75:22 82:22	65:13,15 67:10 69:3,4,9,15,16 83:23
activate 64:12	al 1:3	anymore 74:21 75:3,4	asking 7:8 15:6 23:1 46:7,10 47:14 48:15
actual 14:6	aliases 9:14,15	apologize 15:2	53:22 65:3 68:16
actually 56:7 59:23 62:12 63:21 72:11 78:17	allowed 15:10 81:15	apologized 85:2,7	assault 6:8,21 21:6,12 22:13 23:9
ada 11:2,12,20 12:3,7,14,21 51:1,3,12 55:11,17 70:3	amazed 62:20 73:24	appeal 21:14 21:17,18,21	assaulting 6:18 22:10
administer 86:7	amazing 74:18	22:6,18 23:14	asserting 7:9
admissible 43:19	amendment 7:9 22:5,17,24	appear 10:12	23:2
admit 10:22	23:2	appearances 4:1	assist 73:23
advise 21:16	american 37:19 53:2	applicable 11:14,22	assisted 38:17
affidavit 14:8	americans 11:5 68:5	applies 21:20	assisting 51:13
aforemention... 87:2	angle 57:12,14 57:15,16,16	appreciate 49:8 72:6	associate 76:13
aforesaid 8:4 86:15,15,21	59:23	approaching 62:14 82:7	assume 29:4,18
african 37:19 53:2	angles 57:19	approximately 16:24 19:23	assuming 13:1 29:2 53:18
age 8:2	answer 7:6 12:18 22:4,17	35:19,21,24	61:5 72:9
	22:22,24 42:5 42:6 51:21	56:14 57:24 81:19	attended 86:12
	67:11,12	area 31:16 33:14 34:4	attention 57:19 57:21 81:7,10

[attorney - clarification]

Page 3

attorney 13:18 34:21 87:10	72:7 74:11,19 76:17,20 84:7	26:22 27:2 break 55:3,4 bring 23:6 64:15 79:2	cautioned 86:19 center 2:21 86:13
attorneys 13:15 86:15 87:12	84:17 85:2,4	bates 78:17,19 79:10 81:4	cermak 32:1,10 41:13,16,23 42:2 74:12,13
authorized 86:7	bed 9:1 25:8 42:24 43:5	bunk 81:16 burn 39:16 burned 38:22	certified 2:23 6:1
avenue 4:6	beginning 43:16	c	certify 23:5 86:7,8 87:9
aware 13:18 30:17,18	begins 50:4	c 81:6,6	chair 29:14 39:24 40:1,3
awe 62:20,21	behalf 2:19	call 12:17 30:22 34:2,3,4	40:13,21 56:20
awhile 51:20	believe 9:1 14:19 21:17 23:22,23 24:4 36:15 41:5 42:8 48:21,23 51:16 53:6,7 58:5,24 66:2	37:8 50:7 53:1 58:17 70:19	60:4,9 69:1 70:1 71:11 72:12,21 73:9
b	bell 8:17	called 19:11 59:1	chair's 39:15
baby 72:13	best 53:3 79:24	calling 31:15	chance 11:8 19:9
bachelor 16:17	bet 15:20	cane 26:2 72:17 72:18,19,20,20	change 79:24
back 23:6 32:20 35:3 43:23 48:2,12 51:20 56:5 59:15 60:12 71:13 72:9,12 72:21 73:10,13 73:20 74:4 75:17,20 77:22 80:19,21 81:15	big 72:11	care 74:22	charge 51:2
barach 2:22 86:5	birth 9:20	carefully 86:18	chatting 30:22
based 22:4,24 43:20	bit 24:16 43:17 61:19	carolina 16:20 16:23 17:13	checking 75:1
basically 21:5 24:18 25:1 26:5 27:10 35:11 38:15 39:9,15 53:6 53:15,17 63:5 65:24 66:1	bodied 55:8,8 82:22	case 2:9 8:4,19 8:24 11:3,14 12:13,15 13:16 79:20 86:20	chicago 4:7,16 6:17 22:9
	body 24:24 38:17 64:5,6 64:18 84:2	cases 6:8 21:12	child 26:8
	bottom 47:2 60:11 63:8 80:15	cause 3:6 86:9 86:12	christ 18:7
	brace 26:2,8,9 26:10,12,14,16	caused 60:3 86:23	church 18:10
		causes 24:20	city 2:21 86:14
		causing 42:2,11 80:7	civil 2:18 21:20
			claims 71:8
			clarification 33:5

[clarify - day]

Page 4

clarify 80:5	complete 87:5	correct 9:2,3,6	court 2:1 5:19
class 2:7	compliant 51:2	9:10,23 20:11	30:13 35:12,19
close 19:22	68:4	24:11 25:23	41:23 58:11,17
college 18:8	complied 3:2	32:23 46:24	59:6,13 86:10
combined 81:17	conchala 81:5	47:3,8 48:5,6,9	86:12
come 35:3	concurrent 18:12	56:2,8 65:14	covenant 18:10
43:23 63:7,12	condition 25:22	65:18 78:1,10	covering 82:3
69:1 71:12	conditions 27:11	79:13,16 80:10	cream 42:18,18
75:4	confused 47:14	87:5	42:19 74:17,19
comes 69:7	continue 85:8	correctional 2:20 86:13	created 5:16
83:20	continuously 28:15	correctly 87:1	10:24
comfortable 35:9	control 40:19	corridor 34:3	creep 56:20
coming 39:4,4	41:2	43:9 59:3	crimes 21:6,6
39:14 41:2	conversation 60:16,21 63:6	66:15 68:8	23:9
45:23 46:6	71:6 72:7 85:5	corridors 34:8	criminal 6:20
62:12	conversations 11:18	35:6 38:6 40:5	6:21,22 22:12
commissioned 86:6	convicted 21:3	41:3 58:3,14	22:13,14
communication 12:17	cook 2:11,11	68:13 76:1	csr 87:19
community 19:11	13:3,20 23:20	counsel 2:16,16	cuffed 69:13
comp 17:23	29:8 35:18	4:1 21:14	cuffs 69:14
complained 36:9,13,14,15	36:7 41:22	31:20,24 85:18	cutting 10:10
41:18 42:1,10	66:8,9 75:23	87:3,4,8,9	cv 2:9
76:9	copies 33:17	county 2:11,12	cwb 6:16 22:9
complaining 76:15	77:21	13:3,20 23:20	d
complaint 10:21 20:24	copy 10:20,21	29:8 35:18	d 8:12
30:20 34:9	78:23 79:9,15	36:7 41:22	damage 25:1
38:7	79:18,19	66:8,10 71:8,9	damaged 24:24
	cord 24:23	75:23 86:3	darian 14:23
	corner 48:23	couple 20:8	dark 53:7
		43:2,23	dart 1:3 2:10
		course 40:24	date 9:20 42:22
		53:2 58:8	84:21
		69:16 70:7,8	dated 78:4
		83:16	day 2:19 23:19
			23:20 24:3,3

45:2 46:15,19 51:15 64:10,22 65:13,16 84:24 86:16 dayroom 29:16 29:18 deangelo 16:2 december 1:5 2:20 86:16 declaration 14:7,22 declarations 13:19,22 14:13 14:17 15:1,5 15:14,23 16:3 16:6,9,11 defendants 2:13,16,19 4:11 5:8,9,10 5:11 32:17 33:22 34:17 77:18 degree 16:23 17:16 57:16,17 61:21 degrees 16:17 dep 33:11 deponent 3:7 87:7 deposes 8:4 deposition 2:17 2:24 3:5 8:14 9:9 10:10 13:9 43:16	depositions 86:8 describe 37:17 39:7 52:23 description 53:3 details 84:13 84:15,16 detainee 30:16 81:7,9 develop 75:2 developed 75:3 devore 4:13 devoreraduns... 4:18 difference 39:10 different 20:12 41:22 54:14 55:16 difficult 38:15 difficulties 80:16 difficulty 75:24 82:12 digits 10:2 dip 60:3 disabilities 11:5 68:5 disabled 55:10 discovery 10:13 discussion 32:15 60:21 80:16,20 81:3	dishonesty 23:11 distance 58:18 distracted 82:8 distribution 5:20 district 2:1,2 86:10,10 division 2:3 24:7 34:12 36:6,11 44:1 44:13,24 53:13 53:19 57:7,13 59:14 65:16,22 66:4 74:4 75:18,20 76:23 78:2,9 80:24 83:3,10 86:11 divorced 10:1 doctor 27:7,9 27:10,15 28:22 28:23 29:3 42:2 74:12,13 75:3 81:10,14 81:18 83:7 doctor's 25:17 doctors 27:12 28:11 83:19,22 document 14:7 31:14 documents 10:11,15,18,24 78:20 doing 17:12 30:6,8 40:10	 e e 8:11,11,11,12 8:12 15:3 83:6 ear 83:20 earlier 60:11 69:16 early 19:21 easily 82:11 east 5:13 31:4 32:8,23 58:13 66:14,16,16 67:7,21 eastern 2:3 86:11 easy 14:21 education 16:16 17:17,18 effect 3:1 efferson 16:12 effort 39:13 eight 18:8
---	--	--	--

[either - forest]

Page 6

either 40:12 44:22 51:22 61:7 68:12 82:8 87:10 elapsed 81:18 eliminate 42:19 emergencies 39:23 emergency 40:13 employment 18:5 ended 47:20 entire 24:6 26:4 54:17 equals 25:2 escorted 29:9 29:21 30:5,11 52:10,15 53:13 escorting 37:2 83:1 especially 38:16 58:22 esq 4:4,12 et 1:3 ethnicity 37:22 38:3 eugene 1:1,4 2:5,17 5:16 8:1 8:11 9:17 27:5 exact 19:20 exam 81:10 examination 5:4 8:7	examine 81:8 examined 84:18 86:18 excuse 75:8 79:17 exhibit 5:8,9,10 5:11,13,14,15 5:16 31:12 32:17,22 33:22 34:2,13,17 43:10 44:2,23 46:12 58:24 59:9 67:7,20 68:9 77:8,18 exhibits 5:6,19 35:6 38:9,11 40:6 58:3 66:14 68:14 existence 64:15 experiences 75:24 expert 12:7,13 explaining 49:8 extent 11:16 12:16 extra 79:4 extremely 24:21 56:19 f facility 27:24 28:1 fact 36:14 41:20 fair 12:11	fall 24:23 25:6 64:12 80:8 falling 9:1 42:23,24 familiar 13:1 15:4,6,19,21 16:4 31:15 34:4,21 41:22 66:7,12 83:7,8 far 12:3 56:3 68:2 fast 39:19 40:16,17 56:19 80:18 faster 61:17,19 61:19 february 9:21 36:12 44:13 64:23 76:22 federal 2:18 3:1 feel 40:18 feet 52:24 73:6 fell 24:18 43:5 69:24 71:11 84:1,4,14,16 felonies 23:10 felt 63:23 74:22 fifth 7:9 22:5 22:17,24 23:2 figure 28:14 file 76:21,23 filed 17:20,22 21:21 71:7 78:1 79:20	fine 17:12 30:10 33:16,19 43:12 51:19 78:21 finishes 18:19 first 8:2,16 23:19 25:3 30:21 44:14,15 44:15,16 45:21 49:24 52:7,19 61:10,12 65:24 66:2,9 67:6 80:14 86:18 fit 50:16 51:1 51:10 five 58:1 flat 63:15 66:22 67:8 floor 45:23 46:3,24 71:15 72:5,6,12 floors 46:1,2,3 flying 60:9 63:10 foia 78:24 follow 74:21 75:5,15 follows 8:5 force 3:1 59:22 59:24 60:1 61:16 foregoing 86:22,24 forest 26:18
---	--	---	---

[form - hands]

Page 7

form 11:15 21:9 22:4 42:4	58:6,17 72:6 80:17 81:14	48:19 56:15,16 56:18 59:15	guilty 6:8,12,18 6:20 21:12
forth 87:1	girls 6:19 22:11	60:12 61:19	22:2,10,12
forward 80:8	give 16:1 19:9	62:10 64:10	23:9,10,10
found 6:15,16 22:8,8 23:10	35:19 37:7 42:15 51:21	67:9 75:15 77:12,13 80:18	gump 26:18
four 10:2 19:16 35:21 78:16	53:3 70:6 73:4 84:15	82:15,23 84:7 84:17	guy 72:11 guys 15:21 50:14,23,24
fraternize 85:8	given 8:14	good 46:11	51:9
fraud 23:11	12:21 20:23	gotten 74:15	gym 47:11 54:3
frequency 35:4	25:3 81:7,10	grab 39:24	54:14 55:14
frequently 35:8	87:6	40:2,10,14	57:24 78:10
friend 50:6,7 61:15	glasses 53:6	great 33:9	gymnasium
friends 69:16 70:17,20	go 9:15 17:9 19:10 27:10	grievance 5:16 42:14 76:23	53:24 57:23
front 10:11 12:8 33:6 44:2 60:2,6 77:14 77:15,22 80:6 81:23	35:12,18 36:6 41:13,16,23 44:9 45:14 48:12 53:19	77:2,5,7,13,13 78:1,16 79:9 79:23	65:23
froze 40:3	56:5 58:11	grievances	h
full 26:16 87:4	61:20 66:1	10:12,19 20:22	h 81:6
further 3:3 47:16 48:2 87:9	71:3 73:9 74:3	ground 63:20 67:24	habit 41:17
g	76:4,18 80:21	group 34:13,17 44:2 46:12	hair 37:21 53:1
g 4:5 8:11 37:8 37:9,15 74:7	81:15 84:13	52:12 66:14 73:13	53:7
general 76:14	goes 83:20	guess 36:22,24 43:13,18,19	half 13:13
generally 24:13 29:7	going 9:5 11:21	51:17 67:5,14 67:17	49:13 81:19
gentleman 16:8	12:23 15:21	guessing 51:23 73:6	halls 69:12
getting 28:15 40:15 48:11,16	22:3,16 29:8	guidelines 11:13	hand 39:17,24 40:14,15
	29:22 30:13,22		handcuffed 69:11
	31:2,3 32:1		handed 10:18
	34:2,2 38:15		handrails 67:20
	38:23 39:10		hands 38:22 41:13 42:12
	40:4,9,11,16,17		63:4,14,24
	41:21 44:22,22		69:13 75:9
	45:12 47:22		84:2

[handwriting - issue]

Page 8

handwriting 79:12	hit 63:8 80:6,12 81:21 82:16	34:18 77:19	74:15 75:6,9
happen 40:22 41:1 69:2	hold 31:20,24 39:14,14 56:17	identified 79:10	injury 64:8 74:10
happened 6:4,7 21:3,7,11 40:2 41:11 52:17 59:16,17,19,20 60:4 63:9 65:4 71:1,2,4,12,13 72:2 73:8,18 74:2,6 83:22 85:1	holding 56:19 80:19	il 4:7,16 illinois 2:2,12 2:21,22 19:2 86:1,6,11,13,14 87:18	inmate 45:10 45:11 48:10,16 49:18,20 71:14 84:9
hard 76:17	honest 58:15 66:20	illnesses 24:13	inmates 13:2 13:19,23 30:5
harris 16:8,10 45:6,6 47:7,13 48:7,21 49:9 55:22,23 56:4 70:7 76:6 82:21	hornorio 70:10	imagery 81:8	44:9,20,21
head 59:22	hour 13:13 81:19	imaging 81:11	45:18 49:5
height 73:5	housed 24:13	incarcerated 36:7	52:9 56:1
help 13:9 71:13 72:6,9	housing 24:5	incident 36:11	75:23 83:2
helped 71:14 73:19	hughes 16:5	46:16 62:23	inside 29:14
helps 37:24	huh 14:3,14 17:5,10,10	64:23 70:2	instance 41:9
hey 69:7 72:1	24:22 26:19	76:21 78:1,6	instantly 80:7
high 19:12,15 40:23,24 67:23	29:20 33:13	81:15 83:10,12	instruct 22:4
higher 17:17	35:16 37:20,20	including 6:19 22:11	instructing 22:23
highest 16:16	47:4 48:13	independently 11:19	instrumental 17:3,4
hispanic 53:7,9	hurry 43:17	index 5:1	intentionally 85:6
history 18:5 24:16,19	hurt 63:24 84:14,17	individual 6:22 22:14	interacted 70:18,19,20
	hurting 63:4,5	individually 2:6	interested 87:11
	i	infrequently 35:7	interrogatories 8:5 10:20
	idea 29:6 35:9 36:21,23 39:6 50:13 57:9,11 57:18 60:1,5 60:17,18,24	initial 50:3	involved 8:24
	66:6 68:3,4	injured 24:19 34:24 56:4	11:3 50:14
	71:10 85:3	72:2 84:2	involving 23:11
	identification 32:18 33:23	injuries 25:4 42:2,11 64:9	issuance 2:23
			issue 50:12

issues 6:12 8:24 9:6 20:24 22:1 27:8 28:16 38:5 41:12	12:10 14:12 15:11,22 16:10 17:10,20,23 18:4 19:5,21 19:22 22:1 23:24 24:5,20 26:20,22 28:24 29:5 30:10,19 30:20,23 31:5 31:7,7 33:20 34:11 35:7,20 36:22,24 37:22 38:1 39:11 41:18,19,21 42:18 43:3,18 43:20 45:5,8 49:20 50:11,19 51:1 55:6 56:3 56:13,18 57:7 57:12,15,17,22 58:19 61:1,4,6 61:6,9 64:5 65:7 66:3,15 66:16,18,20,21 66:22 67:2,3,8 67:15,23 68:2 68:6,7,10,15 69:9,12,14,17 69:24 70:4 71:1,7,16 72:2 73:10,13 75:14 75:15,22 76:14 76:17 82:15 83:5,6,23 84:14 85:6	knowledge 11:20 12:1 13:2 43:21 68:12,17,19 80:1 known 61:2,7	left 24:20 38:21 53:18 54:18 73:11 85:11 leg 24:20,20 26:14,14,16,20 26:22 27:2 legal 14:6 legs 63:15 length 26:16 letter 50:4 level 16:16 life 18:10 26:4 64:9 lifelong 25:22 lifetime 64:9 lifted 72:11,21 line 6:2,16 22:8 28:18 lip 60:11,24 63:8 80:12 81:22,23 82:3 82:16 84:11 listen 15:20 32:3 43:15 listening 7:3 22:19 literature 12:21 little 24:16 37:19 43:17 63:4 live 69:17 lived 84:22 llc 4:13
j	I 1 8:12 15:3,3 81:6 lady 37:19 landed 60:9 63:13,14 landing 66:23 67:9 80:8 laughing 56:16 lawful 8:2 lawsuit 8:17 10:20 17:20,21 17:24 30:19 79:16,18,20 lawsuits 17:22 71:8 lawyer 13:8,12 31:14 75:15 lawyer's 7:4 22:20 lawyers 11:18 leaning 53:8 leave 48:19 73:12 leaving 47:22 47:23 48:23 led 6:8,12 21:3 21:12 22:1 84:6		

[location - morrissey]

Page 10

location 46:21 78:9	madison 86:3 make 14:21 making 53:15 56:21 75:2	mcclain 16:2 mean 11:4 15:19 17:8 21:8 27:9	met 61:10 metal 5:15 34:14 44:23 66:5 80:23
long 13:11 23:14 42:24 43:4,8 49:9 53:1 54:16 56:13 57:7,22 59:12 63:5 66:17 72:7 78:16 81:13 85:4	manually 30:3 30:6 marin 37:3,4 50:22,23 51:6 51:7,14 52:5,8 53:4,14 54:9 54:11,17 55:5 55:5,11 62:9 64:24 70:2 73:23 78:12	29:14 35:4,8 35:11 36:13 38:3 39:1,6 40:15 42:19 50:15 57:14 59:13,18,21 61:17 65:4 69:2 70:7,22 71:2,21,23 72:9 73:8,17	16:5 70:11 71:17,18 mind 86:17 minute 49:11 49:13 minutes 58:1 misdemeanors 23:11 misstates 28:2 mistaken 53:8 moment 80:2 momentum 61:20 monroe 4:14 months 8:22 morning 29:22 54:13 82:23 83:3,10 morrissey 4:4,5 11:15 12:16 18:18 21:9,13 21:16 22:3,16
looked 10:22 24:5,6 30:20 33:11 37:16 46:18 58:3 62:20,20 73:24 76:2	marked 32:18 32:22 33:23 34:18 44:1 58:24 59:8 66:13 67:7 77:19	measure 57:11 measured 68:10 measurements 66:18 68:12,17 medical 24:16 42:3 74:5 81:7 81:10	22:23 27:23 28:2 31:20,24 32:5,10 33:5 33:10,15,17 42:4 64:16 67:10 77:21 78:19,23 79:2 79:5 85:15
looking 10:16 35:5 68:8,13 68:18 79:6	markese 50:1 marquis 49:22 50:1 68:20 70:8	meds 42:21 74:19	
lost 41:1 75:16	marshall 19:15 19:17	meet 13:8,11 meeting 13:14	
lot 12:5 15:20 35:8 38:17 39:11	maurine 50:20 51:5	52:7	
loud 17:9	mayo 70:11 71:17,18 73:4	mental 24:13 50:12	
m		mentioned 70:14 78:12	
m 8:12			
made 62:4 82:4			

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888-391-3376
Exhibit 5 Page 33

morrisseylaw...	neither 85:3 nerve 25:1 nerves 24:24 never 40:8 61:3 65:2,9,21 66:8 68:10 new 18:10 normal 62:2 81:8,11 normally 52:2 north 5:14 16:20,23 17:13 31:4,9,15,21 32:6,8 34:3 58:13 59:1,2 66:15 northern 2:2 86:10 notary 86:5 notice 2:24 86:8 nrc 27:14 number 10:3,9 31:13 32:22 44:23 67:7,20 68:9 nurse 27:17,20 28:6,8 36:14 37:5,8,9,15 38:5 42:2,13 74:7,7 75:1 81:14,17 nurse's 37:6 nurses 83:22	o o 8:12 81:6 oaths 86:7 object 11:15 12:16 21:9 22:3,16 27:23 42:4 objection 7:4 22:20 67:10 objections 3:4 87:3 objects 81:21 82:1 obviously 49:15 occur 49:10 occurred 78:6 78:10 83:23 october 23:22 23:23,23 offer 14:9 offhand 12:6 officer 30:16 36:13,16,17 37:1,2 45:10 50:21 51:14 52:5,7,13 53:4 53:13 54:9,11 54:17,21,24 55:7,11 62:9 64:24 65:5,8 65:15 70:2 73:23 78:12 officer's 64:24 65:19	officers 30:6 36:15 38:5 52:2 54:12,22 55:5 62:9 65:4 83:1 oh 10:5,5,21 18:9 28:4 33:8 48:20 51:6 64:19 78:21 okay 8:13,21 8:24 9:14,20 10:6 11:2,10 12:3,5,9,20 13:1,7,14,18,22 14:12 15:8,17 15:18,20,23,24 16:11,15,22 17:12 18:1,17 18:20 19:3 20:15 21:2 23:19 24:2,9 24:15 25:15,18 26:7,15 27:4,7 27:16,20 28:11 28:14,19 29:2 29:7,17 30:10 30:19,23 31:14 31:18 33:4,8 35:3,10,17,23 36:3,5,5,9,24 37:13,24 38:2 38:4,8 39:9,19 40:11,18 41:7 41:11 42:8 43:7,12,21
n	n 8:11,12 15:3 81:6 name 8:9 15:2 15:4,6,11,13,19 16:1,4 25:17 28:24 37:6,7,8 37:14 49:21,24 50:20 55:1,7 83:7,16,19 named 16:8,12 names 9:17 15:21 70:6 76:10 near 78:10 nearby 81:21 necessarily 21:20 neck 38:22 need 12:6,7 19:20 74:21 78:22		

[okay - polio]

Page 12

44:6,12,19	overturned	21:13 22:5,18 86:9	picking 72:8
45:20 46:5	23:14	picture 31:11	31:23 32:23
47:12,15,19	own 59:17	penitentiary	33:6 34:1
49:1,4,4,8,12	p	27:13,14	46:13,13 48:2
49:24 50:6,9	p 83:6,6	people 38:13	48:3
50:11,15,19	pace 62:2	51:3,12 55:11	pictures 31:10
51:8,11,17,19	page 5:3 6:2	55:17,19 70:3	34:13 66:13
51:23 52:5	81:4,5	70:18,19,20	pills 42:17
53:10 54:5	pages 78:16,17	76:13 82:19	74:17
55:13 56:7,22	86:24	people's 76:10	place 20:16
57:2,10 58:2,7	pain 38:17,17	perez 70:10	placed 72:12,20
58:23 59:5,14	42:17,18,19,21	person 73:19	72:21
61:9,22 62:1	63:24 64:10,11	73:21,22	places 41:22,24
62:22 63:2,3	64:12,13 74:17	personal 43:21	plaintiff 2:8,16
63:12,20 64:14	74:17,19,19	50:13 68:16,19	4:3
65:10,12,22	75:4	phonetic 16:2	plead 6:8 21:12
66:11,19 67:5	palm 39:17	16:12 36:16	pleaded 21:5
67:14,19 68:7	palms 41:13	49:22 50:1,20	pleading 6:12
68:20 69:6,22	paperwork	70:10,11,11	6:18 22:1,10
71:5 73:2,19	14:20	photo 47:16	please 32:4
74:5,21,22,24	papiez 83:5	67:6	43:19
75:2,12,22	parentheses	photograph	pled 6:20 22:12
76:8,19 78:21	80:8	5:13,14 59:8	23:9,9
79:7,8 80:5,11	part 3:4	67:20 68:8	point 71:12
80:14 83:1,5	parties 87:10	photographs	80:20
83:18	87:11	5:15	pointing 47:2
once 36:8 40:2	parts 84:3	photos 68:18	64:6,17,17,21
41:5	past 52:9	76:2	policies 11:6,13
ones 55:10	pasting 10:10	physical 24:12	11:20
open 62:21	patients 24:12	50:11	policy 30:14,17
74:1	28:20	physically	30:18
oral 8:5	patrick 4:4	37:17 50:16	polio 24:19
outcome 15:12	pausing 15:9	51:1,10 52:22	25:1,20 26:1,3
outline 11:9	paying 57:19	picked 71:24	27:8 28:16
	57:20	72:4	

[portion - ramp]

Page 13

portion 81:6	produced 79:3	q	railings 32:1
position 20:18	professional 18:9,15	qualified 86:6	33:1 40:6,8,12
20:18	propounded 8:5 87:3,6	qualifies 17:24	rails 39:21,22
positioned 57:12	protection 21:17	question 13:24	57:2,3
pounds 73:1	public 86:5	21:10 29:12	raised 3:5
practitioners 27:17,21 28:7	pulling 80:19	46:12 47:9	ramp 5:13,15
28:8	pursuant 2:18	75:16	30:23 31:4
precautions 61:3	86:8	questions 6:1	32:8,11,23
predatory 6:21	push 29:10,11	7:6 8:8 9:9	34:4,12,14,22
22:13	30:5 48:11,16	22:22 23:5,6	34:24 39:3,11
prep 18:8	48:18 50:16,16	43:23 87:2,5	39:12 40:23,24
prepare 13:9	50:17 51:10,14	quite 58:18	41:19 42:1
present 71:1	52:2,5,10 65:1	59:10	43:8,24 44:8
pretty 11:24	65:8,15,20	r	44:12,20,22,23
57:1 75:7,11	69:7,10,10,14	r 8:12 15:3	44:24 45:2,7
75:12	69:15,19	race 38:3	45:12,14 46:6
prior 18:9,11	pushed 45:9	radunsky 4:12	46:13,18 47:2
42:23,23 44:13	47:8 48:22	4:13 5:4 6:7,11	47:8,17 48:4,8
prison 21:2	49:2,17 50:7	6:15 7:3,8 8:8	48:11,17,18,19
privilege 22:5	50:23 52:16,19	9:8 11:17	48:21,22 49:2
22:17,24 69:11	54:6 55:24	12:20 18:21	49:6,10 50:17
69:14	56:11 60:5,23	21:11,15,19,24	54:1,3,5,13
privileged 12:17	61:12	22:7,19 23:1,4	55:16 56:4,8
probably 40:1	pushing 30:14	23:8 28:1,4,6	56:11,15,17,24
73:6	51:9 59:16,19	31:22 32:3,7	57:7,18,23,24
problems 56:15	59:21 61:7	32:12,20,21	59:18,23 60:1
procedure 2:18	68:24 84:8	33:8,14,16,19	60:2,3,6,9,12
procedures 11:21	put 31:7 72:19	34:1,20 42:6	60:19,22,23
process 39:16	73:8	64:20,22 67:12	61:20,20,23
47:10 53:12	pwm 4:9	77:9,12,24	63:8,16,17,21
		78:21 79:1,4,8	63:22 66:5
		85:13	74:6,15 76:21
		rail 63:15	80:7,9,12,14,17
		railing 40:1,2	80:21,23,24
		40:10,14	

[ramp - route]

Page 14

81:20,20 82:1	received 78:24	83:9,21	13:11 14:17
82:2,3,6,8,12	record 8:10	reply 8:4	16:1 19:17
82:14,16,23	32:13,15,20,22	reported 86:23	20:15,21 21:21
83:11,12 84:7	33:10 64:16	reporter 2:23	23:2,4,6 24:10
84:17 85:3	78:22	5:19 77:11	25:10,19,24
ramps 9:5,10	records 10:13	request 10:21	29:8,24 30:3
11:22 12:4,14	13:7 24:5 42:3	65:1,19	30:13,21 31:2
12:22 13:4	redacted 78:24	requested 65:2	31:3,8,10,13,18
34:8 35:5	refer 31:2,3,4	65:8	34:7,11,12,20
36:10 38:6,8	referred 74:12	required 26:2	34:24 35:3
38:16,18 39:1	referring 31:9	reserve 23:5	38:20 39:15,21
39:8 40:4 41:3	31:18 34:9	reserved 3:5	43:19 46:18,23
41:21,24 42:11	38:8 59:18	residential 24:9	46:24 49:17
58:14,16,19	refuse 64:24	resolved 75:7	50:3 54:21
76:1,9,18	65:3,12	75:10	55:24 56:10,13
range 35:19	refused 65:6,19	respect 12:4,14	58:22 60:7
rather 20:9	refusing 7:6	67:6	61:10,11 62:2
read 13:22 14:3	22:22	respects 87:4	63:23 64:11,17
79:15,18,19	regarding	respond 18:18	65:15 67:5,20
81:9	12:21 20:24	response 77:4	67:23 70:9,9
ready 48:11,16	83:11	81:5	71:11 77:1,7
really 56:17	regular 60:19	rest 63:18	77:10,23 78:13
57:20 71:3,6	regularly 27:7	retained 5:19	78:16 79:12,15
74:18 79:1	70:18	12:13	79:22 80:9
reason 44:10	related 12:22	review 12:8	82:11
82:9	87:11	reviewed 10:13	rise 68:7
recall 15:12,16	relevant 21:23	11:2 12:12	role 53:14
25:16 37:13	remarks 87:3	77:1	roll 39:3
41:9 43:11,20	remember	ricky 16:8,10	rolling 39:10
51:24,24 52:3	16:21 19:13,18	45:6,6,7 48:21	rotating 39:19
52:4 54:24	19:21,22 23:19	49:2 70:7 76:6	roughly 18:2
55:7 58:6,18	24:2 25:10,15	76:15	37:18
58:20 59:5	25:16 37:5,16	right 7:9 8:16	route 2:21
68:6 76:10	42:22 43:8	8:19 9:4,24	53:21 54:14
82:18 83:4,13	59:7 64:21	10:15 12:5	55:13,15,16

[route - someplace]

Page 15

62:7 86:13 routes 66:3 rtu 13:5 24:6,9 29:19 30:23 32:24 34:5 37:11 43:10 50:9 53:19 54:18 57:23 58:17 59:12,15 66:4 74:4 80:21 84:20 rubbed 42:18 rules 2:18 3:2 run 84:21	says 6:17 8:4 22:9 69:7 78:6 78:9 81:4,6,6 scars 74:11 scary 57:1 scattered 45:19 school 19:11,12 19:15 schools 19:8 20:12 science 16:17 screen 33:11 second 8:15 34:1 security 10:3 see 10:11,15 11:8 27:9,10 44:19,21 45:12 45:14 46:6,12 46:12,13 47:17 49:1,1,5 55:1 56:11 57:15 60:11 67:19,21 69:10 71:3 74:13 75:4 82:5,11,22 83:2 84:19 seeing 15:16 27:7,20 43:9 82:12,19,21 seen 14:9,18,19 14:22 15:1,5 15:13,22 16:2 16:5,9,11 26:18 27:12,14	27:17 28:6,8 28:11 68:11 69:19 sees 28:20 sense 56:21 sentence 23:15 sentenced 6:17 22:9 separated 55:12,17 september 24:4 27:22 28:9,12 set 87:1 settled 8:19,21 17:21 seven 23:16,17 23:18 70:4,5 sex 21:5 sexual 6:7,20 6:21,22 21:6 21:12 22:12,13 22:14 23:8 sexually 6:18 22:10 sheriff 2:10 shift 82:17 shifting 82:18 shocked 74:1 short 37:21 shorthand 2:23 86:23 shot 33:12 shoulder 38:20 38:21,22 42:20	shoulders 64:7 show 31:10,11 48:2 60:7 showed 11:8 74:10 showing 32:21 shown 47:16 86:21 sic 81:21 side 45:18 57:3 signature 3:6 85:18 87:7,17 signed 15:15 similar 14:8 27:1 75:24 single 59:6 sitting 21:22 situated 46:15 six 19:12 52:24 73:6 skinny 53:2 slanted 61:21 slim 53:2 slow 56:18 80:18 smooth 81:24 social 10:2 socialize 85:9 somebody 16:12 29:10 50:3 71:12 84:8 someone's 65:8 someplace 52:10
s s 4:6 8:12 sabrina 81:5 sailing 81:24 sally 2:22 77:10 86:5 sarantino 70:11 saw 15:11 33:16 44:17 45:3 47:7 48:17,20 49:9 49:14 54:23 56:7 62:12 74:7 84:24 saying 9:11 29:15 40:21 47:15 48:20 50:15 63:23 65:12 76:3,16 80:11 85:2			

[sorry - taylorville]

Page 16

sorry 10:5,8 28:4,7 43:14 43:14 46:2 56:16 71:22 75:8 76:5 81:9 82:15,20 sort 27:1 30:13 30:22 61:21,22 61:24 67:8 sound 15:21 16:4 86:17 sounds 15:4,6 15:19 28:16 83:7,8 speak 70:23 73:15 specifically 26:13 speed 40:22 spell 8:9 36:21 49:23 spend 81:13 spinal 24:23 25:8,13 27:8 28:16 spoke 70:23 spoken 13:15 ss 86:2 stable 56:24 57:1,1 stairs 55:18 stamps 78:19 standards 11:3 11:5,12,13,20 12:4,14,22	start 8:7 19:17 59:22,22 66:16 starting 61:17 state 2:22 8:9 16:19,20 17:1 17:2,13 19:2 20:8 86:1,6,14 87:18 statement 15:15 statements 14:3,4,9,22 15:1,5,14,22 16:3,6,9,12 20:23 states 2:1 86:10 status 9:24 stipulated 2:15 3:3 stomach 63:15 stop 41:5,12 60:4 stopped 40:3 60:8 80:7,12 strenuously 39:3 strike 12:12 24:15 28:8 44:20 54:16 56:14 75:19,19 79:19 81:21 82:20 struck 84:12 structure 60:5	students 6:19 22:11 studied 17:14 study 17:2,13 stuff 11:11,16 43:24 69:13 74:11 sub 18:24 19:1 subbing 20:6 substitute 18:24 19:4,7 suddenly 41:6 41:12 60:4,8 suit 21:20 87:10 suite 4:15 sums 25:1 sun 6:16 22:8 superman 63:11 supervising 53:15 54:22 supplied 13:19 supposed 53:16 sure 12:12 14:1 23:23 29:4 43:3,22 46:9 49:24 51:18 53:15,23 55:2 59:11,11 67:4 75:2 76:7,12 80:3 surgery 24:24 25:5,8,13,15 27:5 64:10	sworn 8:2 86:19 t t 8:12 15:3 take 53:21,24 54:16 55:13,15 62:6,7 taken 1:5 2:17 3:1 29:23 66:4 takes 39:11 talk 18:4 30:12 30:21 38:13 61:15 62:22 71:20 85:1 talked 11:16 38:4 51:23 73:17 talking 9:5 11:21 12:23 14:6,12 18:19 20:22 26:13 27:23 28:21 30:24 31:5 40:5 41:3 44:1 44:23 58:23 64:23 74:7 76:22 80:23 tall 52:24 73:2 taught 19:8,11 19:15 taylorville 2:20 2:22 21:22 28:7,9,11 86:13,14
---	---	--	--

teacher 18:23 18:24 20:19	31:13,20 33:17 36:11 44:2	58:12 tirrell 15:3 today 12:23 13:9,12 27:8 43:17	81:14 treating 83:9 83:13 84:20
teaching 20:13	53:1 59:7	together 87:2	treatment 24:10 28:15 42:15 74:5,14
tell 6:11 16:15 18:5 21:24 22:16 24:16 29:11 35:4,7 38:7 39:1,4 54:11,12 59:16 62:5 63:3,13 68:24 70:12,22 70:24 71:24 76:16 83:19,23 84:4,8,11	64:20 67:13,16 70:12,14 72:24 75:6,9 77:9 thomas 1:3 2:10 4:5 thompson 14:23 thought 60:18 75:17 three 18:11 19:5 21:5 38:13	told 17:8 37:8 41:5 43:16 44:7 72:5 74:16 83:21 84:1,7,13,16 took 55:7,10,11 56:14 57:22 61:2 72:20 74:19	trial 3:6 86:11 trick 15:17 trotting 61:22 trouble 53:17 72:8 troy 4:12 true 6:23 22:15 65:6 81:11 87:4
tennessee 16:19 17:1,2	tier 30:8 48:12 61:14 69:17,18 84:22	top 47:17 48:3 48:4,7,20,22 49:9 56:7 62:11	trusted 69:22 truth 8:3,3,3 86:19,20,20
testified 86:21	tight 56:17	towards 53:9 60:15 61:22	try 57:3 trying 15:7,17 26:17 28:14 35:9
testify 8:2 32:3 86:19	time 8:7,15,16 18:12 24:6 38:15 44:14,15 44:16,16 47:14	tradunsky 4:18 train 75:16 transcribed 86:23	tunnel 5:14 30:23 31:4,9 31:15 32:1,8 34:3 59:1,2 66:15,16,23 67:8,21 68:8
testimony 28:3 86:22 87:1	52:7,19 54:17 59:6 60:6,7,22 61:10,12 64:22	transcript 86:22 87:5 transported 29:9 30:4	tunnels 9:6 11:22 12:15,22 13:4 34:8 35:6
thank 72:5	65:24 66:2,9	traversed 41:19	38:7 40:5 41:3 43:9 58:3,5,10
thanks 85:14	72:24 73:16	traversing 38:18	58:13,13,16
theology 17:14 17:15,16	75:18 80:15 81:13,18 85:14 85:15	treated 37:11 41:14,16,17	68:13 76:1
thereto 87:4	times 6:16 8:13 22:8 30:3		
thing 43:15 76:15,17	35:17 36:1,6 41:15,20 42:13		
things 10:10 32:9			
think 15:7,10 19:9 21:19,22 23:22 26:17 27:21 28:2			

[turn - went]

Page 18

turn 65:9	unit 24:10	vote 29:22	watched 62:19
turned 46:5	united 2:1	30:12 35:12	watching 53:17
two 6:18 8:21	86:10	36:6 41:23	54:9
16:17 19:5	university	51:3 53:19,24	watkins 49:22
22:10 31:3	16:19,20	54:18 59:12	50:4 52:15
32:9 33:17	uplift 19:11,14	voted 45:2	54:7,8 59:15
34:8,13 36:14	20:2	59:14	60:12,14 68:21
38:5,6,9,10	upper 64:5,6	voting 35:1	68:22 70:2,8
43:2,3 50:23	84:2	36:5 47:10,20	80:16 82:7
50:24 55:5,21	use 9:10 26:4	48:1,14 49:6	84:19
60:20 66:13	26:10 39:8,22	52:11 55:20,20	watson 68:20
76:2	40:6,8 41:20	56:5 78:10	way 14:21
type 27:2 60:2	41:23 44:9	vs 1:2 2:9	21:17 31:8
66:22	58:2,9,12,15,21		47:9 53:23
typewriting	59:5,24 66:5	w	54:18 59:12
86:24	used 26:9,22	w 4:14 8:12	62:3 78:24
	43:8 44:12,16	wait 18:18	we've 11:16
u	45:1 55:18	waive 85:15	20:22 30:21
u 8:11	58:6,9 60:1	waived 2:24	32:22 66:13
uh 14:3,14 17:5	86:11	3:7 85:18 87:7	67:7 76:2
17:10,10 24:22	user 45:1	walk 61:17	79:10
26:19 29:20	users 41:20	69:12	weak 24:21
33:13 35:16	using 13:4 27:4	walking 61:19	wedge 60:3
37:20,20 47:4	35:5,10 40:11	62:2 72:16	week 43:2,3
48:13	43:1 44:8,19	wall 68:2	weeks 43:2
under 6:21,23	44:21 49:6	want 11:17,19	weigh 72:23
21:17 22:13,15	56:4 58:18	15:22 16:24	weighed 37:18
underage 6:19	59:7 61:16	26:5 30:21	72:24
22:11	75:24 80:21	39:4 43:12,18	weight 73:5
understand	82:19,21,22	43:20 51:17,20	went 20:10
8:21 21:15,21	usually 30:8	51:22 58:16	37:7 45:18
46:7 48:15		62:6 67:5,14	53:24 54:3,18
49:4 53:22	v	67:17	55:20,20 59:6
undetermined	vicinity 62:10	wanted 59:21	60:10 74:13
86:9	victim 6:20	62:6 79:23	80:14 82:14
	22:12	80:5	

western 4:6	witness 1:4 9:7	36:2,24 39:6
westmoreland 1:1,4 2:5,17	14:8 18:20	40:23 41:8
5:17 8:1,11,13	33:13 64:19	44:5,5,5 51:7
9:18 33:6	77:23 78:13	53:11 55:9
78:17,17 79:8	79:7 85:18	56:23 59:19
wheelchair 24:17 25:2,3	86:15,17 87:2	62:11 64:3,20
25:24 27:4	87:6,8	70:15 73:21
29:10 30:15	witnesses 13:15	74:9,23 76:4,6
39:2 41:2,20	70:1,23,24	79:2 81:2
43:1 45:1	wobbling 40:18	83:12 84:23
49:14 50:17	word 55:8	year 23:24
52:16,20 60:8	62:16	25:10 75:6
63:7 65:16	words 30:15	years 6:18
69:8,10,10,20	59:17 62:1	16:21 18:6,8
72:10,14 73:20	82:4 84:5,20	18:11 19:3,5
74:3 76:3 80:6	wore 53:6	19:12,16,18
80:7 82:21,23	worked 74:18	20:8 22:10
84:2,5,12,17	workman 17:23	23:12,17,18 35:22
wheelchairs 13:2 44:21	worry 33:19	z
49:6 50:24	wrists 64:1,2	z 83:6
55:19 82:20	75:10 84:2	
83:2	written 20:23	
wheels 39:19	wrong 15:2	
80:6	51:21	
white 53:8	wrote 79:23	
whoops 10:5	wylie 36:16,18	
william 70:14	36:19,20	
70:15,15	y	
williams 15:3	yeah 10:8	
16:13	11:17,24 12:2	
wit 8:5	14:11 17:11	
	18:14 20:7,9,9	
	21:18 28:1	
	29:13,13 31:22	

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate.

The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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